

THE OHIO STATE UNIVERSITY
OFFICIAL PROCEEDINGS OF THE
ONE THOUSAND THREE HUNDRED AND FIFTY-SEVENTH MEETING
OF THE BOARD OF TRUSTEES

Columbus, Ohio, November 5, 1999

The Board of Trustees met at its regular monthly meeting on Friday, November 5, 1999, at The Ohio State University Longaberger Alumni House, Columbus, Ohio, pursuant to adjournment.

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Minutes of the last meeting were approved.

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November 5, 1999 meeting, Board of Trustees

The Chairman, Mr. Colley, called the meeting of the Board of Trustees to order on November 5, 1999, at 10:15 a.m. He requested the Secretary to call the roll.

Present: Michael F. Colley, Chairman, George A. Skestos, David L. Brennan, James F. Patterson, Zuheir Sofia, Daniel M. Slane, Allyson Lowe, and Jaclyn M. Nowakowski. Fred L. Dailey, Director of the Ohio Department of Agriculture, was also in attendance.

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Mr. Colley:

Good morning. Welcome to The Ohio State University Board of Trustees meeting at the new Longaberger Alumni House. Today is historically significant in the life of this University since this is the first meeting of the Board in this building after meeting for 28 years at the Fawcett Center.

This morning, we recognize a distinguished law school graduate by naming the law library in Drinko Hall, "The Michael D. Moritz Law Library."

NAMING OF LAW LIBRARY

Resolution No. 2000-55

Synopsis: Naming of the Law Library located within John Deaver Drinko Hall at 55 West 12th Avenue is proposed.

WHEREAS Michael E. Moritz was an active student leader as an undergraduate student at The Ohio State University, serving as chair of Homecoming, treasurer of the Inter-fraternity Council, member of The Ohio Union Board and the Student Court; and

WHEREAS Michael E. Moritz was elected to numerous honorary societies as an undergraduate business major and received his Bachelor of Arts degree from The Ohio State University; and

WHEREAS Michael E. Moritz was an outstanding student at The Ohio State University College of Law, being ranked first in his class, being elected to the Order of the Coif, and being selected for the *Law Journal*; and

WHEREAS Michael E. Moritz has had a long and distinguished career as an attorney in Columbus, Ohio, advising and working with numerous private and public businesses in all areas of business law, serving for many years as chair of the business group of Baker & Hostetler, a national law firm with headquarters in Cleveland, Ohio; and

WHEREAS Michael E. Moritz continues to serve his alma mater through volunteer leadership to the Fisher College of Business and the College of Law through his directorship on The Ohio State University Foundation Board:

NOW THEREFORE

BE IT RESOLVED, That in accordance with paragraph (F) of rule 3335-1-08 of the Administrative Code, the aforementioned facility shall be named "The Michael E. Moritz Law Library."

Upon motion of Mr. Skestos, seconded by Mr. Brennan, the Board of Trustees adopted the foregoing resolution by unanimous voice vote.

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Mr. Colley:

One of the intrinsic rewards of chairing this Board, as each of you will in turn discover, is being invited to participate in dedications of new facilities with the President. Since the last meeting of the Board, we have dedicated new facilities at the Fisher College of Business and the Longaberger Alumni House. The addition of Pfahl Hall, Mason Hall, and Schoenbaum Hall at the Fisher College positions the College to maintain its prominence as one of the top business schools in the country.

Last Friday afternoon, we dedicated this magnificent alumni facility where the Board will meet in future years. Tami Longaberger is not here this morning, but I wish to thank her and her family, on behalf of the Board, for their help in making this building a reality.

Last week, Provost Ed Ray, Vice Provost Randy Smith, and I met with students, faculty, and staff at the Mansfield Campus. This morning, I want to publicly commend Dean Riedl and his staff for the excellent programs they have in place at that campus.

There was an election last Tuesday in Columbus, Ohio, and on behalf of the Board of Trustees, our congratulations go to Mayor-elect Michael Coleman. In our work with Campus Partners and Gateway, we've seen the importance of a close working relationship with the city administration, and that will continue with Mayor Coleman, as it has in the past with Mayor Lashutka.

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PRESIDENT'S REPORT

President William E. Kirwan:

Ladies and gentlemen of the Board, the first classes at The Ohio State University began in September 1873. Since that time, there have been 1,514 months in the glorious history of this University. And I submit, that few, if any, have been more extraordinary than the 30 days since we last gathered.

As a supposedly cold, analytical mathematician, I like to think that I'm not given to hyperbole, though some might suggest my enthusiasm and optimism does at times take over. That being the case, let me hasten to give you some of the facts upon which I base my bold assertion. I want to emphasize that all the items I mention occurred within the past 30 days.

The Affirm Thy Friendship Campaign exceeded its goal of \$1 billion -- funds that are being used for targeted academic and University priorities. In doing so, we become one in only four public universities -- joining the University of California-Berkeley, the University of Illinois, and the University of Michigan -- to raise more than a billion dollars in a single campaign. And we still have seven months to go before our campaign ends.

We hosted the American Association of Universities, an organization of the premier public and private research universities in the country. The presidents and chancellors of these 56 institutions came to Ohio State for nearly three days to discuss major issues facing higher education. Our staff did an exceptional job of organizing this event and making sure our visitors saw the very best of our University and community.

PRESIDENT'S REPORT (contd)

President Kirwan: (contd)

The Fisher College of Business dedicated three new buildings that will be the focus of learning and the search for knowledge for generations to come. This facility is gaining worldwide attention as one of the finest academic facilities in existence. In just a few short months, Dean Joseph Alutto, his faculty, and staff transformed a dream into a reality that is phenomenal. They deserve tremendous praise. As part of the Fisher College dedication, former President Gerald Ford was here to deliver the Fisher Council on Global Trade and Technology Lecture.

Last week, the Alumni Association dedicated this magnificent Longaberger Alumni House. It will stand for decades as a tribute to the love, devotion, and commitment of thousands of graduates and friends and a very special family. It will serve as a marvelous meeting venue, not only for the Board of Trustees, but also for the entire University community.

More than 150 faculty and staff members are volunteering from October to December in Columbus Reads -- a reading/tutoring program in the Columbus Public Schools -- a major sign of how seriously we take our responsibility to the people of this city and state. As two of the lucky tutors, Patty and I can already attest to the special relationships that form with these eager young readers.

The National Association of Public Interest Law named Greg Williams, Dean of the College of Law, as "Dean of the Year."

Ahmed Plummer -- who earlier in the month was named one of 12 semi-finalists for the Jim Thorpe Award, which goes annually to the nation's best defensive back -- was awarded an \$18,000 post-graduate scholarship by the National Football Foundation. This is in recognition of his ability to maintain a 3.5 grade-point average in his major, business and human resources. Ahmed becomes the eighteenth Ohio State player to earn the NFF's scholar-athlete scholarship -- the most of any school in the country. I would like to take this opportunity to once again point out that since 1993, Ohio State has had more academic All-Americans than any team in the Big Ten, including the University of Michigan.

Dr. Mauro Ferrari, Professor of Internal Medicine and Mechanical Engineering, and Director of the Biomedical Engineering Center, received the first Wallace H. Coulter Award for Innovation and Entrepreneurship. This award recognizes the best biomedical invention in the world over the past year, and it carries a \$100,000 stipend. You'll have a chance to meet Dr. Ferrari in just a few moments.

The National Institutes of Health and Aging awarded more than \$18 million -- the largest award in our history -- to a group of Ohio State faculty to study how stress and aging affect the healing process. Dr. Ronald Glaser, Professor of Molecular Virology, Immunology, and Medical Genetics, and Director of the Institute for Behavioral Medicine Research, will lead the study.

The American Psychological Association honored our Department of Psychology with a national Award for Excellence in Ethnic Minority Recruitment, Retention, and Training. The graduate program in counseling psychology was named as a model of success in making a grass roots commitment to the training of students of color.

PRESIDENT'S REPORT (contd)

President Kirwan: (contd)

In one of the most significant events of the past month, the Carnegie Foundation for the Advancement of Teaching and the Council for Advancement and Support of Education named Dr. Terrell Morgan as "Ohio Professor of the Year." Dr. Morgan is an associate professor of Spanish linguistics in the Department of Spanish and Portuguese. This award was so important that Governor Taft asked Dr. Morgan to attend a special recognition downtown earlier this week so that he could personally congratulate Professor Morgan.

Dr. Morgan is in the audience this morning and we have a little surprise presentation for him. If I could ask Dr. Morgan to come forward with his department chair, Dr. Dieter Wanner, and interim humanities dean, Michael Hogan, for the presentation.

[Presentation and photograph]

And, finally, Mr. Chairman, my report would not be complete without the recognition of the outstanding work that was done by our students and the staff of the Office of Student Affairs to produce Homecoming 1999 and Make-a-Difference Day. The student co-chairs of homecoming were Rob Siston and Gilda Mossadegh. They are here, and I would like them to stand and be recognized.

Another event, Make-a-Difference Day, was led by Student Trustee Jaclyn Nowakowski, and was an amazing success. In fact, Make-a-Difference Day activities actually took place over a whole week. Homecoming and Make-a-Difference Day service activities represent the finest in Ohio State enthusiasm and service. Let's give everyone involved a round of applause.

In sum, members of the Board, recognition of the ever-increasing excellence of Ohio State comes from far and wide and from many diverse sources. What I've recounted here is just a sample of some of the significant events that occurred in just the past month. What I admire so much about this University is that no matter how good we might be – and we are indeed very good in many areas – there is no sense of self-satisfaction or complacency at Ohio State. The quest for excellence burns brightly here and continues to propel us forward – trying new things, launching new initiatives, and strengthening past strategies.

We have a presentation on one such strategy this morning. The Academic Enrichment Initiative was launched six years ago to encourage creative collaboration and out-of-the-box thinking so that faculty colleagues would have the resources and the encouragement to achieve new heights of excellence and relevance.

At this time, I'd like to ask Mr. Skestos, chair of the Board's Educational Affairs Committee, to introduce a presentation on the academic enrichment program.

Mr. Skestos:

Thank you, Mr. President. As you noted, we are constantly looking for new and better ways to do things. The Academic Enrichment Initiative is a program that encourages our faculty to try new things and which rewards interdisciplinary collaboration. This year, more than \$1.5 million has been awarded in support of 11 proposals that hold the promise of benefiting the University, our students, and the people of Ohio.

ACADEMIC ENRICHMENT INITIATIVE PRESENTATION

Mr. Skestos: (contd)

I would like to now call on Provost Ed Ray, to introduce a discussion of how the Academic Initiative is producing great results. Dr. Ray --

Dr. Edward J. Ray:

Thank you very much, Mr. Skestos. As President Kirwan indicated, this is the sixth year of the Academic Enrichment Program funding and to date, more than \$9 million in cash and annual rate has been reallocated to support existing and emerging University priorities. In most cases, these funds are matched by the units receiving this support. Many of the funded initiatives are interdisciplinary and many have come from Ohio State's most highly regarded academic departments.

The Academic Enrichment Program is a major way that Ohio State is supporting the drive for academic excellence that will manifest itself in the quality of the instruction, research, and service we are able to offer.

These initiatives and the faculty behind them are sources of great pride for all of us here at The Ohio State University. The academic enrichment funds have helped us hire top-notch faculty, many of who are involved in interdisciplinary research, and their work is having an immediate impact outside the University. We have with us this morning faculty who will discuss proposals that were funded in the past and are now reaping benefits.

Let me introduce my colleagues. Mauro Ferrari, Professor of Internal Medicine and Mechanical Engineering and Director of the Biomedical Engineering Center, was hired on Academic Enrichment funds and wrote a proposal that was funded this year. Deborah Merritt, Professor in the College of Law, will discuss the legislation clinic in the college, which is a major outreach and engagement initiative. Maria Palazzi holds an appointment in the Department of Industrial, Interior, and Visual Communication Design and is Associate Director of the Advanced Computing Center for the Arts and Design -- ACCAD to some of us. Maria, who is in her first year here, was hired on Academic Enrichment funding, and has already helped get software donated to Ohio State.

Each of my colleagues will be available to answer questions after they've provided brief presentations.

Dr. Mauro Ferrari: [PowerPoint presentation]

Thank you very much for your kind introduction. I spent 15 years of my life at a fine academic institution -- the University of California-Berkeley -- first as an undergraduate student, then as a graduate student, and finally, 10 years on the faculty. About this time last year, I decided to transfer to a finer academic institution -- this wonderful University of ours.

When I made the announcement last October that I was leaving, one of my students there gave me a book as a parting gift and behavioral guidance. The book was entitled, *How to Speak Ohioan*. I learned from that book a number of things, including the fact that in the State of Ohio, it is not proper to display overly your enthusiasm for something. If you really like something the most that you are allowed to say is "not too bad." As the seasons followed, I learned other fine words such as: "Final Four;" I learned that orange barrels are not containers for the shipment of citrus; and the best expression is "Academic Enrichment." I will spend the balance of my time to support this statement.

ACADEMIC ENRICHMENT INITIATIVE PRESENTATION (contd)

Dr. Ferrari: (contd)

To put this in perspective, I have to tell you a little bit of what I do for a living. We're engaged in research and education in the field of biomedical nanotechnology. This means using this space age-type of science and technological development that have been pioneered in the field of microchips for producing advances as momentous, and more, in the field of biomedical treatment. We do this biocapsule -- that is something that we use for releasing therapeutic agents -- for coming up with new methods of cure for diseases. The "nano" word that you see in the title, pertains to the dimensions of the things that we make. They are truly on the nano scale, which means that they involve a handful of atoms. You see an example of that in this nano core in the membrane.

Without getting technical, with this biocapsule we have been able to develop a new method for the treatment of diabetes using cell transplantation. If you receive a cell transplant and it works, you won't need to shoot yourself up with insulin or to monitor your glucose -- so there is a great advantage in that. Maybe you've seen some media reports on that recently.

We are using a takeoff on the same technology -- together with Pascal Goldschmidt, Director of the Heart and Lung Institute -- to develop another method for treatment of heart attacks that will not involve either surgery or the use of balloon angioplasty. With Michael Caligiuri, from The James, we are developing methods using the same technology for producing innovation in the treatment of cancer. In particular, of cancers of the brain of a type that is currently intractable and leads to death within a matter of weeks. This is what it looks like.

Now you see one original example of our biocapsule. When I first came to visit Ohio, and Columbus in particular, I was very impressed with the level of support offered by the local population that were flying images of our biocapsule -- on flags and cars [the biocapsule resembles a block "O"]. I just couldn't get over it. These guys are so friendly. I'm so glad I finally discovered a place I really like!

Recently, I was fortunate to lead a proposal entitled, "Biomedical Micronanotechnology Initiative," working on the things that you have just seen. We were fortunate to garner the support of different units in the College of Engineering, as well as in the College of Medicine and Public Health. With that, we have been awarded funds that will support the hiring of three new faculty -- one is already on board, Professor Derek Hansford -- two research scientists to run our laboratories, and one administrative support person. To me, the most exciting part has been the fact that Academic Enrichment has really triggered a cascade of positive events.

In terms of critical mass, the Biomedical Engineering Center has been in existence for a while and has gone over the threshold of ten faculty in size. That has allowed us to launch our undergraduate program that we hope will be completed and offered for biomedical engineers next year. And at the same time, we also hope to reach department status. Of course, it has been wonderful that we have been able to establish a closer connection with one of our mandates, which is engineering medicine, and other units on campus, like veterinary medicine, dentistry, and pharmacy. We have been able to obtain immediately a very strong presence of leadership in this new field, which is considered one of the strategic development areas for science in the country and internationally.

ACADEMIC ENRICHMENT INITIATIVE PRESENTATION (contd)

Dr. Ferrari: (contd)

Also through our presence, again, triggered by Academic Enrichment, we have been able to be funded for a total of \$3 million for a program led by Dr. Marc Madou and others. We have been able to attract funding by the Ohio Board of Regents for \$3 million from the consortia with other fine institutions in the State of Ohio. We have started to collect research funding from the federal government and to position ourselves for major donations and support from the industry and from major foundations. It is not going to be three years before we bring in the first \$10 million. This is a type of technology that is sponsored very generously and is expected to have a very high impact.

We still have to get the final approval, complete some of the paperwork, and to finesse parts of agreements, but it is expected that the laboratory is going to be located in the Phase I building on the Science and Technology Campus. It will be co-occupied by ourselves, by OSU, and industry, and the first party to have been brought in from the industry-side on this is a spin-off company from the Silicon Valley. So we are attracting industry from exciting places such as the Silicon Valley. Our location at the Science and Technology Campus is giving us a great opportunity for: starting spin-off companies, incubating industrial developments, stimulating the local investment community in high tech, and, of course, it provides a great employment pipeline for our students.

We are scheduled to inaugurate the building on September 24. That will be in coordination with the first World Congress on Biomedical Microdevice and Nanotechnology, which we are going to be hosting here in the City of Columbus.

Through this combination of interdisciplinary appeal and the rapidity of deployment and effectiveness, Academic Enrichment has really helped us meet the major goals of scholarship in many ways, or at least to start moving in that direction. It has also helped as it pertains to education in the classroom and the laboratory, to research, to clinical impact and, very importantly, to service and economic texture in the local community. To me this embodies a new model in the mission of a land grant university such as OSU. Also, national and international leadership can only be enhanced by developments of this type.

All in all, if you want to know my opinion of Academic Enrichment, it is "not too bad." I thank you very much for your attention.

Professor Deborah J. Merritt: [PowerPoint presentation]

The Legislation Clinic was just funded, but plans for it are already well underway. In fact, Jim Brudney, the professor who will oversee the creation of the clinic, is in Washington with Dean Williams today, interviewing potential directors for the clinic. I'm speaking in their place to tell you about how this clinic builds upon Ohio State's existing strengths, how it will further our academic mission, and how it will enhance the University's reputation. I will also show you some pictures, like this one of our lovely Statehouse.

The clinic builds first on our unique position in a prominent state capital. Ohio's Senate and House of Representatives are actively engaged in solving state problems. The clinic also builds upon a series of strengths within our College and University. The College of Law is one of the few in the country to teach legislation as a first-year subject. We also have a reputation for scholarships on legislative topics. The Center for Law, Policy, and Social Science will help the legislature and the clinic draw upon social science research to achieve legislative goals. And the College has a longstanding tradition of clinical teaching, with seven different clinics already operating.

ACADEMIC ENRICHMENT INITIATIVE PRESENTATION (contd)

Professor Merritt: (contd)

Strengths throughout the University further enhance the clinic's prospects. The clinic has an ongoing relationship with the John Glenn Institute, our well-rated Political Science Department provides further scholarly support, and students and faculty throughout our diverse University will be able to contribute their expertise on specific legislative projects.

Building upon these strengths, the clinic will promote all three aspects of our academic mission. The clinic will teach students by literally bringing them into the Statehouse itself, giving them a unique opportunity to work with legislators, committee staff, and others. The clinic will feature hands-on learning. Some students will work with the Legislative Services Commission writing bill analyses, research reports, and digests of enacted bills. Others will participate in longer-term public policy analyses, working with the four legislative caucuses, key committees, and executive branch agencies. In all of these cases, the students will receive unprecedented insights into how laws are made, as well as the ability to hone their research, writing, and problem-solving skills.

The clinic will also foster scholarship. Faculty members in both law and political science will use the clinic's work as a means of studying the legislative process. Other students and faculty from many disciplines will be able to pursue scholarly issues related to the legislative agenda. My own work on tort reform falls into this category, as do projects ranging from electronic privacy to school finance, criminal sentencing, and health policy. The clinic will also provide essential service to the citizens of Ohio. Dean Williams and Professor Brudney have been meeting with the party leadership in both Houses, representatives from the Legislative Services Commission, and others for almost a year now. All of these leaders are enthusiastic about working with our students and receiving assistance from them.

The devolution of legislative authority from the national government to the states, as well as the advent of term limits in Ohio, has increased the need for thoughtful, non-partisan analyses of legislative issues. The faculty and students associated with our clinic will be able to offer that service to the legislature.

In addition to the clinic's daily operations, it plans to sponsor an annual one-day conference devoted to a current public policy issue. A keynote speaker will address possible solutions to a problem like school finance or prison overcrowding, with responses from academics, legislators, business leaders, and others. These conferences will bring together the clinic's teaching, scholarship, and service missions, while focusing attention on contemporary problems and their solution.

As I mentioned before, we have already begun interviewing candidates to direct this clinic. We expect to hire both that director and a staff attorney by May. The clinic will begin operation in the next academic year, with an exciting future.

In addition to furthering the University's three goals of teaching, research, and service, the clinic should enhance the College of Law's reputation, helping the University achieve its goal of becoming a top research university. The Legislation Clinic will contribute to that end because it builds upon unique existing strengths within Ohio State and the City of Columbus, and it draws upon multiple interdisciplinary connections. It will also foster high quality research, teaching, and service. We're all looking forward to watching this clinic grow. Thank you.

ACADEMIC ENRICHMENT INITIATIVE PRESENTATION (contd)

Professor Maria Palazzi: [PowerPoint presentation]

I'm happy to be here today and I'm going to spend some time telling you a little bit about myself. I am an associate professor in the Department of Design, as well as associate director of ACCAD -- the Advanced Computer Center for Art and Design. I am an Ohio State alumnus with both my degrees. After I finished my industrial design degree, I had a life changing experience when I met Chuck Csuri and saw him making images move. For a graphic designer that was just unbelievable back then. So that convinced me to stay here at the heart of a pioneering effort to become one of the leaders in computer animation.

I've been a professional animator for 17 years, working for clients such as NBC Sports, TRW, and Clairol. One of my last projects was with the Minneapolis Symphony Orchestra, where I worked with a group of students illustrating a book called, *On the Day You Were Born* written by Debra Frasier. It was a great research experience for the students because they worked directly with the illustrator on that book in recreating it. But it was also a project in which the Minneapolis Symphony Orchestra was teaching small children about what a symphony is and what instruments there are in an orchestra and what those instruments sound like. So it was a wonderful experience for me.

I was recruited to teach at Rutgers University and from there to Ringling School of Art and Design where I was asked to create a BFA program in computer animation, one of the first in the United States. A lot of the influence for that program came from what I had experienced here at the Computer Graphics Research Group, which was what ACCAD was called at that time. At this point, I have many students working in the top production houses in the United States, as well as student work from that program being shown at festivals all around the world.

I also initiated a project called, "Women in Technology," a mentoring program for girls between 12 and 14. This gave these girls a chance to work with the students at Ringling in a mentoring experience with faculty guidance. We were exposing young girls to technology, graphics, and animation, and using art as a tool to get them interested in technology, since there is a big drop-off point of interest for girls in computer science and math, as well as technology, at that age. I hope to continue those same efforts here at Ohio State.

When being recruited by Ohio State, I was most interested in the Academic Enrichment Program, because it seemed to me that the willingness to invest signaled several very important points. It was recognizing ACCAD's reputation as one of the leading programs in the world, and I felt that I could contribute to that by continuing with these applications of technology in the arts.

It also showed a commitment to the integration of technology in the arts, which, by its nature, computer animation is a very interdisciplinary field. It involves working with artists, designers, animators, and computer scientists, and without all of those people, it's impossible to do your job or to make images.

I also viewed Ohio State as a contemporary research university with an emphasis in interdisciplinary activity and a real sense of technological relevance. I also saw it specifically supporting an interdisciplinary connection with ACCAD and Design, which is exactly what my background was. Of course, to me, that signaled a commitment to be the best, which is what I'm most interested in -- working in a program at a university that strives for academic and intellectual excellence.

ACADEMIC ENRICHMENT INITIATIVE PRESENTATION (contd)

Professor Palazzi: (contd)

It also has a long history of support of technology in the arts, which I think is really unique to any major university. To see that connection and to support that connection for the College of the Arts here and for all of the departments within the arts is really a wonderful experience for the students, as well as the faculty.

When I knew I was coming to Ohio State, I wanted to bring with me tools that would enhance my research, as well as enhance the work of other faculty and students. I approached a company called Alias/Wavefront for a grant of software valued at \$6 million. With that grant, Ohio State received 150 seats that are spread throughout ACCAD and Design and available to the graduate students in the College of the Arts.

Then in the last month, I worked with a company called Ashlar to obtain Vellum Solids software, which is worth about \$500,000. That is a software for modeling solid surfaces, which is the one thing that Alias doesn't do, but it's very important for product designers. So we are just installing now 185 seats in Design and ACCAD, as well as ETS.

Maya is the name of the premier software that we received and that is used by the top production houses in the computer animation industry, such as Disney, ILM, and Pixar. It brings to the classroom the most sophisticated tools that are available today, as far as commercial software goes. It will enable our students to visualize their creative ideas and do just about anything. The most amazing part about this software is it's an open-ended tool that can be used in software development, which is really important to ACCAD because that is one of the areas that ACCAD specializes in. So ACCAD will continue to develop software appropriate for artists and designers integrating Maya's capabilities.

I have brought a short movie clip from a film called "Bingo." It was actually used to develop the software. I wanted to show you this today, because the features in it are amazing. All the characters are completely computer-generated and the animation is nearly flawless. The cloth that's on each of the characters and the way it's reacting to gravity and the dynamics of the environment is incredible. You'll see lots of stage lighting and fog that's added in there -- which is a very hard thing to do in computer animation -- and the little girl on the left when she comes into the scene you'll see some incredible shape changes as she transforms into something quite evil. So I'll start the animation for you.

[Film clip]

That is the end of my presentation. Thanks.

Dr. Ray:

Mr. Chairman, I think our panelists would be willing to respond to any questions you would like to ask at this time.

Mr. Colley:

When will the Legislative Clinic be operative downtown?

ACADEMIC ENRICHMENT INITIATIVE PRESENTATION (contd)

Professor Merritt:

In the next academic year. We will be ready to operate in the fall, but apparently the Fall 2000 is one of the worst times to start because of the legislative elections. We will start in the fall if we can. If it won't work, we'll start in the spring.

Dr. Ray:

That concludes our presentation, Mr. President.

President Kirwan:

Thank you. Mr. Colley and members of the Board, the success of the Academic Enrichment Program is just one example of the exceptional activities taking place at this University. It is very important that we realize that, in the midst of the day-to-day business we attend to and the challenges we sometimes struggle with, extraordinary research, collaboration, and learning regularly occur. It all gives us much of which we can be proud. This concludes my report, Mr. Chairman.

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CONSENT AGENDA

President Kirwan:

We have 17 resolutions on the consent agenda today. Number 5, the naming of the Moritz Law Library, has already been approved; and I would like to ask that #1, #11, and #12 be set aside for separate votes. Unless there are any objections, I would like to recommend the remaining 13 resolutions to the Board:

DISSOLUTION OF THE APPLIED MECHANICS SECTION IN AEROSPACE ENGINEERING, APPLIED MECHANICS, AND AVIATION, AND THE MERGER OF FACULTY WITH THE DEPARTMENT OF MECHANICAL ENGINEERING

Resolution No. 2000-56

WHEREAS lack of sufficient disciplinary commonality has severely and negatively affected the 1994 restructuring that resulted in the formation of the Department of Aerospace Engineering, Applied Mechanics, and Aviation; and

WHEREAS in professional societies, applied mechanics is often situated as a division of mechanical engineering; and

WHEREAS many faculty currently serving in the Applied Mechanics Section of the Department of Aerospace Engineering, Applied Mechanics, and Aviation hold degrees in mechanical engineering and conduct research and perform teaching duties more closely aligned to those of colleagues in the Department of Mechanical Engineering; and

WHEREAS the merger of Applied Mechanics with the Department of Mechanical Engineering will strengthen the current department and result in a faculty profile comparable to those at other highly ranked peer institutions; and

WHEREAS said dissolution will have minimal impact on the promotion and tenure processes for affected faculty; and

WHEREAS said dissolution and merger is, with the exception of some one-time costs associated with office renovation and relocation of faculty and staff, revenue neutral; and

**DISSOLUTION OF THE APPLIED MECHANICS SECTION IN AEROSPACE ENGINEERING,
APPLIED MECHANICS, AND AVIATION, AND THE MERGER OF FACULTY WITH THE
DEPARTMENT OF MECHANICAL ENGINEERING (contd)**

WHEREAS the proposed department has the overwhelming support of the Applied Mechanics Section, Department of Aerospace Engineering, Applied Mechanics, and Aviation, the Department of Mechanical Engineering, the faculty of the College of Engineering, and the Dean of the College of Engineering; and

WHEREAS students in Applied Mechanics were fully aware of the decision-making processes for the proposed dissolution and merger and have not articulated resistance to said proposal, and students in Mechanical Engineering have representation on the graduate committee in their department; and

WHEREAS the proposed dissolution and merger was discussed and approved by the Council on Academic Affairs, and approved by the University Senate at its October 16, 1999 meeting:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees approves the dissolution of the Applied Mechanics Section within the Department of Aerospace Engineering, Applied Mechanics, and Aviation, and the merging of Applied Mechanics faculty with the Department of Mechanical Engineering, effective immediately.

**NAMING OF THE CENTER FOR EMERGING TECHNOLOGIES
ON THE OHIO STATE UNIVERSITY-NEWARK CAMPUS**

Resolution No. 2000-57

Synopsis: Naming the Center for Emerging Technologies, which will be built on the campus of The Ohio State University-Newark and the Central Ohio Technical College in Newark, Ohio, is proposed.

WHEREAS John Gilbert Reese was one of the original members of the community group which helped establish the Newark Regional Campus; and

WHEREAS John Gilbert Reese remains an active civic leader in Newark and Licking County, serving on numerous business and foundation boards and as senior partner of the law firm of Reese, Pyle, Drake & Meyer; and

WHEREAS John Gilbert Reese and the Reese family have been generous donors to The Ohio State University-Newark and the Central Ohio Technical College through personal gifts as well as through efforts of the Newark Campus Development Fund; and

WHEREAS in his long relationship with The Ohio State University, John Gilbert Reese has obtained a B.A. in Arts and Sciences and J.D. from the College of Law, and continues to serve higher education in Ohio through service on the Ohio Board of Regents; and

WHEREAS The Center for Emerging Technologies is being constructed primarily through private gifts made to the project by citizens of Newark and Licking County; and

WHEREAS John Gilbert Reese served as honorary governor of the campaign for the Center, giving generously of his wealth and his time to put together a \$4 million challenge gift:

NOW THEREFORE

BE IT RESOLVED That in accordance with paragraph (F) of rule 3335-1-08 of the Administrative Code, the aforementioned facility shall be named "The John Gilbert Reese Center."

**NAMING OF THE OHIO STATE UNIVERSITY
MEDICAL CENTER,
UNIVERSITY HOSPITALS CLINIC**

Resolution No. 2000-58

Synopsis: Naming of The Ohio State University Medical Center University Hospitals Clinic building located at 456 West 10th Avenue on the Columbus Campus is proposed.

WHEREAS Henry G. Cramblett, M.D., served as chair of the Department of Medical Microbiology from 1966 to 1973, dean of The Ohio State University College of Medicine and Public Health from 1973 to 1980, acting vice president for medical affairs from 1974 to 1980, and vice president for health sciences from 1980 to 1982; and

WHEREAS while serving in these important positions of academic leadership, Dr. Cramblett obtained the funding for the construction of Rhodes Hall, opened the University Hospitals Clinic, and worked diligently on the funding for the James Cancer Hospital and Solove Research Institute; and

WHEREAS Dr. Henry Cramblett is a nationally recognized specialist and researcher in viral and infectious diseases in children, serving as the director of the research program at Children's Hospital in Columbus; and

WHEREAS Dr. Henry Cramblett is a nationally recognized expert in the areas of hospital accreditation and medical licensing for doctors, having been appointed twice to the Ohio State Medical Board; and

WHEREAS through his tireless efforts, the College of Medicine and Public Health, and The Ohio State University Medical Center have become increasingly prominent in both academic reputation and patient care:

NOW THEREFORE

BE IT RESOLVED That in accordance with paragraph (F) of rule 3335-1-08 of the Administrative Code, the aforementioned facility shall be named "The Henry G. Cramblett Hall."

HONORARY DEGREES

Resolution No. 2000-59

Synopsis: The awarding of honorary degrees is recommended for approval.

WHEREAS the Committee on Honorary Degrees and the University Senate, pursuant to rule 3335-5-488 of the Administrative Code, have approved for recommendation to the Board of Trustees awarding of honorary degrees as listed below:

Rajendra Singh Paroda
Robert C. Richardson
Sir Brian Urquhart

Doctor of Science
Doctor of Science
Doctor of International Policy

WHEREAS pursuant to paragraph (B)(4) of rule 3335-1-03 of the Administrative Code, the President, after consultation with the Steering Committee of the University Senate, recommended to the Board of Trustees awarding of an honorary degree as listed below:

Mayor Gregory S. Lashutka

Doctor of Laws

HONORARY DEGREES (contd)

NOW THEREFORE

BE IT RESOLVED, That the above honorary degrees be awarded in accordance with the recommendation at a time convenient to the University and the recipients.

PERSONNEL ACTIONS

Resolution No. 2000-60

RESOLVED, That the personnel actions as recorded in the Personnel Budget Records of the University since the October 1, 1999 meeting of the Board, including the following Appointment, Appointment of Chairperson, Leaves of Absence Without Salary, Professional Improvement Leave--Cancellation, and Emeritus Titles, as detailed in the University Budget be approved, and the Medical Staff Appointments/Reappointments (The Ohio State University Medical Center and The Ohio State University Hospitals-East) approved September 23, 1999 by The Ohio State University Hospitals Board and the Medical Staff Appointments/Reappointments (The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute) approved September 24, 1999, by The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute Board be ratified.

Appointment

Name: H. RAO UNNAVA
Title: Associate Professor (The W. Arthur Cullman Designated Professorship in Marketing)
Department: Marketing
Effective: October 1, 1999, through September 30, 2004

Appointment of Chairperson

October 1, 1999 through September 30, 2000

Human Nutrition and
Food Management

Loren V. Geistfeld*

*Interim

Leaves of Absence Without Salary

RICHARD L. ROTH, Professor, Department of Art, effective October 1, 1999, through September 30, 2000, to accept a position at the Virginia Commonwealth University.

Leave of Absence Without Salary -- Cancellation

WILLIAM VON HIPPEL, Associate Professor, Department of Psychology, effective Winter Quarter, Spring Quarter, and Autumn Quarter 2000.

Leave of Absence Without Salary -- Continuation

FENG ZHAO, Assistant Professor, Department of Computer and Information Science, effective January 1, 1999, through December 31, 1999.

Professional Improvement Leave -- Cancellation

VASSILIOS LAMBROPOULOS, Professor, Department of Greek and Latin, effective Spring Quarter 1999.

PERSONNEL ACTIONS (contd)

Emeritus Titles

C. RONALD HUFF, School of Public Policy and Management, with the title Professor Emeritus, effective November 1, 1999.

CAROLE A. MILLER, Department of Surgery, with the title Clinical Professor Emeritus, effective October 1, 1999.

Medical Staff Appointments/Reappointments (The Ohio State University Medical Center)

September 1999

Vernon J. Barney, M.D., Anesthesiology, Attending, 9/15/99-6/30/01
Philip O. Bauman, M.D., Pediatrics, PGY1 Limited, 7/01/99-6/30/01
Paul R. Beery II, M.D., General Surgery, PGY1 Limited, 7/01/99-6/30/01
Paul A. Bekx, M.D., M/Pediatrics, PGY3 Limited, 7/01/99-6/30/01
Gail E. Besner, M.D., Pediatric Surgery, Attending, 9/11/99-6/30/01
Chad Mathew Braun, M.D., Family Medicine, Attending, 8/16/99-6/30/01
Brian Lynn Davison, M.D., Orthopedic Surgery, Community Affiliate, 7/16/99-6/30/01
Rodney C. Graber, M.D., Cardiology, Attending, 9/11/99-6/30/01
Jonathan I. Groner, M.D., Pediatric Surgery, Attending, 9/15/99-6/30/01
Arpita Gupta, M.D., Pediatrics, PGY1 Limited, 7/01/99-6/30/01
Sarah Benson Hamilton-Boyles, M.D., General Obstetrics/Gyn, PGY1 Limited, 7/01/99-6/30/01
Jeffrey L. Jensen, M.D., Pediatrics, PGY1 Limited, 7/01/99-6/30/01
Mihai Jipa, M.D., General Medicine, Attending, 9/11/99-6/30/01
Sharmila M. Jones, M.D., Pediatrics, PGY1 Limited, 7/01/99-6/30/01
Hary T. Katz, M.D., Pediatrics, PGY1 Limited, 7/01/99-6/30/01
Hooman Khabiri, M.D., Radiology, Attending, 7/01/99-6/30/01
Koteswara R. Nalluri, M.D., Anesthesiology, Attending, 7/12/99-6/30/00
Jennifer L. Powell, M.D., Pediatrics, PGY1 Limited, 7/01/99-6/30/00
Philip N. Rancitelli, M.D., Pediatrics, PGY1 Limited, 7/01/99-6/30/00
Richard L. Rosol, M.D., Pediatrics, PGY1 Limited, 7/01/99-6/30/00
Kim G. Rothermel, M.D., General Pediatrics, Courtesy, 6/02/99-6/30/00
Kevin B. Spicer, M.D., Ph.D., Pediatrics, PGY1 Limited, 7/01/99-6/30/00
Christopher J. Timan, M.D., Pediatrics, Attending, 9/11/99-6/30/00
Veena M. Vadmal, M.B.B.S., General Psychiatry, PGY1 Limited, 7/01/99-6/30/00

Change of Status Granted

Earl Metz, M.D., Internal Medicine, Attending, Honorary w/o Privileges
Emily Yu, M.D., Phys. Med. & Rehabilitation, Attending, Courtesy

Request for Additional Privileges – Conscious Sedation

Koteswara R. Nalluri, M.D., Anesthesiology, Attending, 8/30/99
Gregory M. Ness, D.D.S., Dentistry, Attending, 8/30/99
Tasos Manokas, D.O., Internal Medicine, Attending, 8/30/99
Adam C. Tzagournis, M.D., Internal Medicine, Attending, 8/30/99
Amy L. Pope-Harman, M.D., Internal Medicine, Attending, 8/30/99
Lisa M. Keder, M.D., Obstetrics/Gynecology, Attending, 8/30/99
Stephen S. Jung, M.D., Radiology, Attending, 8/30/99
Hooman Khabiri, M.D., Radiology, Attending, 8/30/99

PERSONNEL ACTIONS (contd)

Medical Staff Appointments/Reappointments (The Ohio State University Hospitals East)

August 1999

Mark G. Angelos, M.D., Emergency Medicine, Active, 7/01/99-6/30/00
David P. Bahner, M.D., Emergency Medicine, Active, 7/01/99-6/30/01
Steven P. Balaloski, M.D., Surgery, Courtesy, 7/21/99-6/30/01
Alton J. Ball, M.D., Internal Medicine, Active, 4/06/99-6/30/01
George W. Barnett, Jr., M.D., Family Practice, Active, 4/08/99-6/30/01
Bryan E. Beggin, D.O., Family Practice, Active, 7/26/99-6/30/01
Jay E. Beilharz, D.O., Family Practice, Courtesy, 4/08/99-6/30/01
Marc Cooperman, M.D., Surgery, Active, 4/08/99-6/30/01
Steven L. Delaveris, D.O., Family Practice, Courtesy, 7/08/99-7/30/01
Moritmer Dolman, M.D., Internal Medicine, Active, 4/08/99-6/30/01
Emile N. El-Shammaa, M.D., Emergency Medicine, Active, 7/01/99-6/30/01
Robert A. Fada, M.D., Musculoskeletal Disease, Active, 6/11/99-6/30/00
Arthur Zephre Filiatraut, M.D., Radiology, Active, 4/08/99-6/30/01
Walton Richard Garner, M.D., Internal Medicine, Active, 4/06/99-6/30/01
Mark A. Gerhardt, M.D., Ph.D., Anesthesiology, Active, 7/07/99-6/30/01
Seth E. Gerkin, M.D., Internal Medicine, Active, 7/12/99-6/30/01
Purnendu Gupta, M.D., Musculoskeletal Disease, Active, 7/12/99-6/30/01
Ronald L. Harter, M.D., Anesthesiology, Active, 7/07/99-6/30/01
Ann M. Haynes, M.D., Emergency Medicine, Active, 7/01/99-6/30/01
James W. Hoekstra, M.D., Emergency Medicine, Active, 7/01/99-6/30/01
Stephen L. Houff, M.D., Internal Medicine, Active, 4/08/99-6/30/01
Jay Jacoby, M.D., Anesthesiology, Active, 7/01/99-6/30/01
Michael G. Johanson, D.O., Anesthesiology, Active, 6/10/99-6/30/00
Christopher C. Kaeding, M.D., Musculoskeletal Disease, Active, 7/12/99-6/30/01
Paul N. Kaufman, M.D., Surgery, Active, 4/08/99-6/30/01
Joseph E. Kearns, D.O., Family Practice, Active, 4/15/99-6/30/01
Paul C. Kirk, M.D., Internal Medicine, Active, 4/06/99-6/30/01
Alan J. Kover, M.D., Anesthesiology, Active, 6/10/99-6/30/01
Thomas H. Lee, M.D., Musculoskeletal Disease, Active, 6/11/99-6/30/01
David S. Lever, M.D., Internal Medicine, Active, 7/01/99-6/30/01
James Edward Macklin, M.D., Internal Medicine, Active, 4/08/99-6/30/00
Thomas H. Mallory, M.D., Musculoskeletal Disease, Active, 4/08/99-6/30/00
Tasos Manokas, D.O., Internal Medicine, Active, 7/01/99-6/30/00
Robert J. Miller, D.O., Anesthesiology, Active, 7/07/99-6/30/00
William F. Miser, M.D., Family Practice, Active, 7/23/99-6/30/00
Vijendra S. Mohan, M.D., Internal Medicine, Active, 6/10/99-6/30/00
Nestor M. Narcelles, M.D., Anesthesiology, Active, 7/07/99-6/30/00
James H. Nelson III, M.D., Surgery, Active, 4/08/99-6/30/00
Kurt Anthony Neltner, M.D., Emergency Medicine, Active, 7/21/99-6/30/01
Thomas H. Pepper, M.D., Drug/Alcohol Rehabilitation, Active, 4/08/99-6/30/00
Robert R. Pickering, M.D., Internal Medicine, Active, 4/08/99-6/30/00
Thomas E. Reilley, D.O., Anesthesiology, Active, 6/10/99-6/30/00
Robert D. Rupert, Jr., M.D., Internal Medicine, Active, 4/08/99-6/30/00
Andreas W. Schuster, M.D., Anesthesiology, Active, 7/07/99-6/30/00
John R. Schwarzell, M.D., Surgery, Active, 4/08/99-6/30/00
Edwin H. Season, M.D., Musculoskeletal Disease, Active, 4/08/99-6/30/00
Steven A. Severyn, M.D., Anesthesiology, Active, 6/10/99-6/30/00
Jerry D. Smucker, M.D., Internal Medicine, Active, 6/10/99-6/30/00
Carl E. Speicher, M.D., Pathology, Active, 7/26/99-6/30/00
Joseph F. Swan, M.D., Anesthesiology, Active, 7/07/99-6/30/00
Dennis J. Tishko, M.D., Surgery, Active, 7/01/99-6/30/00
Adam C. Tzagournis, M.D., Internal Medicine, Active, 6/28/99-6/30/00
Michael D. Waite, M.D., Emergency Medicine, Active, 7/02/99-6/30/00
Mary Jo P. Welker, M.D., Family Practice, Active, 7/12/99-6/30/00

PERSONNEL ACTIONS (contd)

Medical Staff Appointments/Reappointments (The Ohio State University Hospitals East) (contd)

August 1999 (contd)

Howard A. Werman, M.D., Emergency Medicine, Active, 7/01/99-6/30/00

Medical Staff Appointments/Reappointments (The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute)

September 1999

Initial Appointments – Faculty

Lawrence DeRenne, M.D., Associate Attending, Pathology
Deborah A. Gordish, M.D., Associate Attending, General Internal Medicine
Richard T. Kloos, M.D., Associate Attending, Internal Medicine, Endocrinology
Stephanie E. Ladson-Wofford, M.D., Associate Attending, Internal Medicine
Sean I. Malone, M.D., Associate Attending, General Internal Medicine
Tasos Manokas, D.O., Associate Attending, Internal Medicine, Digestive Diseases
Andrew R. Murry, M.D., Clinical Attending, Internal Medicine, Infectious Diseases
Bradley Needleman, M.D., Associate Attending, General Surgery
Gerard Nuovo, M.D., Associate Attending, Pathology
Pierluigi Porcu, M.D., Attending, Internal Medicine, Hematology/Oncology
John R. Schwarzell, M.D., Clinical Attending, Surgery
Adam Tzagournis, M.D., Associate Attending, Internal Medicine, Digestive Diseases

Initial Appointments – Community

Thomas W. Ericksen, M.D., Internal Medicine
Gary J. Lau, M.D., Surgery, Ophthalmology
Siva Thanamayooran, M.D., Internal Medicine

Provisional to Full Appointments - Faculty

Michael Burgin, M.D., Internal Medicine, Associate Attending
Daniel M. Clinchot, M.D., Physical Medicine & Rehabilitation, Associate Attending
Steven K. Clinton, M.D., Ph.D., Internal Medicine, Attending
Samir Kahwash, M.D., Pathology/Hematology, Associate Attending
Alan J. Kover, M.D., Anesthesiology, Associate Attending
William F. Miser, M.D., Family Medicine, Associate Attending
Susan Sawhney-Amazan, M.D., Anesthesiology, Associate Attending
Saul Suster, M.D., Pathology, Associate Attending

Provisional to Full Appointments – Community

Anesthesiology

Paul Chu, M.D., Community Associate

Family Medicine

Sally Abbott, M.D., Community Associate
Cleanne Cass, D.O., Community Associate
Joseph Morman, M.D., Community Associate
Richard Potts, M.D., Community Associate
John Sutter, M.D., Community Associate

Internal Medicine

Daniel Bendetowicz, M.D., Community Associate
Timothy Hickerson, M.D., Community Associate

PERSONNEL ACTIONS (contd)

Medical Staff Appointments/Reappointments (The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute) (contd)

Provisional to Full Appointments – Community (contd)

Internal Medicine (contd)

Pius Kurian, M.D., Community Associate, Nephrology
Elizabeth Marsh, M.D., Community Associate
Kumar Mukerjee, M.D., Community Associate, Digestive Diseases
Marvin Narcelles, M.D., Community Associate
Ajaz Umerani, M.D., Community Associate
John Weinstein, M.D., Community Associate, Infectious Diseases
Talal Zraik, M.D., Community Associate, Infectious Diseases

Surgery

Trent Carroll, M.D., Community Associate, Ophthalmology
Azeem Haleem, M.D., Community Associate, Urology
Jeffrey Kearfott, M.D., Community Associate, Ophthalmology
Jerry Shell, M.D., Community Associate, Ophthalmology
Ranjit Singh, M.D., Community Associate, General Surgery
William Smith, M.D., Community Associate, Neurosurgery

Reappointments – Faculty (1999-2001)

William Bennett, M.D., Associate Attending, Radiology
Michael Blumenfeld, M.D., Associate Attending, Obstetrics and Gynecology
Robert Bruce, Jr., M.D., Associate Attending, Ophthalmology
John Burns, M.D., Associate Attending, Ophthalmology
Renee Caputo, M.D., Associate Attending, Obstetrics and Gynecology
Alan Carr, D.M.D., Associate Attending, Dentistry
Donald Chakeres, M.D., Associate Attending, Radiology
Sam Colachis, M.D., Associate Attending, Physical Medicine & Rehabilitation
Mark Gerhardt, M.D., Ph.D., Associate Attending, Anesthesiology
Ernesto Goldman, M.D., Associate Attending, Anesthesiology
Rebecca Gutmann, M.D., Associate Attending, Anesthesiology
Mona Halim-Armanios, M.D., Associate Attending, Anesthesiology
Ronald Harter, M.D., Associate Attending, Anesthesiology
Michael Howie, M.D., Associate Attending, Anesthesiology
Jay Jacoby, M.D., Associate Attending, Anesthesiology
Michael Johanson, M.D., Associate Attending, Anesthesiology
William Kelly, M.D., Associate Attending, Anesthesiology
Robert Kirkpatrick III, M.D., Associate Attending, Internal Medicine, Digestive Diseases
Jasna Jevtic, M.D., Associate Attending, General Internal Medicine

RESOLUTIONS IN MEMORIAM

Resolution No. 2000-61

Synopsis: Approval of four Resolutions in Memoriam.

RESOLVED, That the Board adopt the following Resolutions in Memoriam and that the President be requested to convey copies to the families of the deceased.

RESOLUTIONS IN MEMORIAM (contd)

John Edward Arthur

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on September 8, 1999, of John Edward Arthur, Clinical Professor Emeritus in the Department of Otolaryngology.

John Edward Arthur was born in Norton, Virginia, on April 15, 1922. Dr. Arthur received his undergraduate degree from the University of Tennessee and then received his medical degree from the same institution in 1945. After serving an internship in North Carolina, he went on to serve at the Valley Forge Hospital after World War II for a period of two years. He received a master of science degree from Washington University in St. Louis and successfully completed his otolaryngology - head and neck surgery residency at The Ohio State University.

Dr. Arthur was a member of the American Academy of Otolaryngology - Head and Neck Surgery, American College of Surgeons, American Bronchoesophagologic Society, and the American Society of Head and Neck Surgery.

He practiced medicine for 36 years until his retirement in 1981 at the age of 58, when he was named Clinical Professor Emeritus. When he was practicing, he was on the staff of all of the major Columbus hospitals. Dr. Arthur's practice encompassed all age groups, from the very young to the most senior citizens. He joined the faculty of the College of Medicine and Public Health so he could volunteer his expertise and time to teach the medical students, and especially the Otolaryngology - Head and Neck Surgery residents. He also volunteered his efforts with Dr. Arthur James to establish a cancer clinic at University Hospitals several years ago, which was the beginning of what has grown to now become the James Cancer Hospital and Solove Research Institute.

Dr. Arthur was a man of wide and varied interests. He was a golfing member of the Scioto Country Club, and held memberships in the Zanesfield Rod and Gun Club and the Gyro Club. He was also a member of the Indian Creek Country Club and Surf Club in Miami Beach, Florida.

Dr. Arthur's professional career affected the lives of thousands of people who were his patients. But he also affected the lives of multiple thousands who were treated by those resident physicians who were his students. His legacy of excellence will continue through his teachings of current and future generations of otolaryngologist - head and neck surgeons.

On behalf of the University community, the Board of Trustees expresses to the family of Dr. John E. Arthur its deepest sympathy and sense of understanding of their loss. It was directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to his family as an expression of the Board's heartfelt sympathy.

Rupert P. Herd

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on July 28, 1999, of Dr. Rupert P. Herd, Professor Emeritus in the Department of Veterinary Preventive Medicine.

Dr. Herd was a native of Australia. He was educated at Melbourne Grammar, and graduated from the University of Queensland with a B.V.Sc. degree in 1956. In 1967, he received a M.V.Sc., and in 1970 a Ph.D. from the University of Melbourne.

From 1956 to 1966, he served as Field and District Veterinary Officer in the Northern Territory and Victoria, Australia. After completion of his Ph.D. in 1970 and until 1976, he was the Senior Veterinary Research Officer and Head of the Parasitology Section, Department of Agriculture, Victoria, Australia. In 1976, Dr. Herd joined the faculty of The Ohio State University as an Assistant Professor, and was promoted to Associate Professor in 1979 and to Professor in 1985. Upon his retirement, he was named Professor Emeritus.

RESOLUTIONS IN MEMORIAM (contd)

Rupert P. Herd (contd)

Professor Herd was active in graduate and postgraduate education. In 1996, he received the Dean's Award for Excellence in Graduate Education in the College of Veterinary Medicine. He was a world leader in developing sustainable, ecologically sound approaches to the control of parasites in horses, cattle, and sheep. Dr. Herd was author or co-author of eight chapters and over 110 papers in scientific journals. In 1984, Dr. Herd was the recipient of a NATO Research Fellowship to conduct equine research in England.

Dr. Herd had talents and interests that extended beyond his pursuit of excellence in parasitology. Following his retirement from OSU in 1995, he pursued his interests in writing, drawing, and painting. In 1999, his paintings were featured exhibits in a local art gallery.

On behalf of the University community, the Board of Trustees expresses to the family of Dr. Rupert P. Herd its deepest sympathy and sense of understanding of their loss. It was directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to his family as an expression of the Board's heartfelt sympathy.

Vernon L. Tharp

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on August 23, 1999, of Dr. Vernon L. Tharp, Professor Emeritus in the College of Veterinary Medicine.

Dr. Tharp was born in Hemlock, Ohio, and moved to Columbus in 1935 to attend The Ohio State University. He graduated from the College of Veterinary Medicine in 1940, and began operating the College's ambulatory clinic in 1942. Dr. Tharp became Director of Clinics and Professor of Medicine from 1947 until 1972, at which time he was appointed Associate Dean, a position he held until his retirement from The Ohio State University in 1983.

A recipient of the College's Distinguished Alumnus Award, Dr. Tharp was a major influence within the College and helped bring it to the prominence it enjoys today. Although initially he was a teacher of obstetrics and reproduction, one of Dr. Tharp's primary accomplishments was in upgrading the study and practice of food animal medicine while keeping all other areas of clinical medicine and the cooperating basic sciences on a course of excellence.

In September 1990, he was formally honored when the street in front of the OSU Veterinary Hospital was dedicated as "Vernon L. Tharp Street." In 1997, he was inducted into the Ohio Agricultural Hall of Fame.

Dr. Tharp was a past president of the American Association of Bovine Practitioners, the Ohio Veterinary Medical Association, and the American Veterinary Medical Association; and past vice president of the World Veterinary Medical Association. Dr. Tharp was also past director of the Franklin County Fair and the Ohio Racing Commission. In 1977, the Ohio Animal Health Foundation conferred on him its Lifetime Achievement Award.

On behalf of the University community, the Board of Trustees expresses to the family of Dr. Vernon L. Tharp its deepest sympathy and sense of understanding of their loss. It was directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to his family as an expression of the Board's heartfelt sympathy.

Richard W. Zollinger

The Board of Trustees of The Ohio State University expresses its sorrow upon the death on September 13, 1999, of Richard W. Zollinger, Clinical Professor Emeritus in the Department of Surgery.

RESOLUTIONS IN MEMORIAM (contd)

Richard W. Zollinger (contd)

Dr. Zollinger was born on January 10, 1912, in Millersport, Ohio. He received his undergraduate degree from The Ohio State University in 1933 and his medical degree from Harvard Medical School in 1936. Dr. Zollinger obtained his specialty training in surgery as an intern at Long Island College Hospital and a resident at The Ohio State University Hospitals.

He then entered military service in the Army Air Corp in 1942 until 1946 having attained the rank of major. Returning to civilian life in Columbus, he established a thriving private practice in general surgery. Along with private practice, he was dedicated to the training of future physicians. He founded the medical education department at Mt. Carmel Medical Center, Columbus, where he also served as the chairman of the Department of Surgery and Program Director of the Mount Carmel surgical residency.

He authored numerous articles and book chapters and invented several surgical instruments. He was a member of many prestigious national and local medical societies and served on numerous committees. His leadership in surgery was recognized by his peers through his election to the presidency of the Eastern Surgical Society, the Ohio Chapter of the American College of Surgeons, and the Columbus Surgical Society.

Dr. Zollinger made significant contributions to the mission of The Ohio State University College of Medicine and Public Health and the Department of Surgery. He was active in clinical rotations of residents and medical students and was instrumental in their training. He shared his wealth of clinical experience through continual participation in Departmental conferences and seminars.

On behalf of the University, the Board of Trustees expresses to the family of Richard W. Zollinger its deep sympathy and sense of understanding in their loss. It was directed that this resolution be inscribed upon the minutes of the Board of Trustees and that a copy be tendered to the family as an expression of the Board's heartfelt sympathy.

REPORT OF RESEARCH CONTRACTS AND GRANTS

Resolution No. 2000-62

Synopsis: The reports on research and other sponsored program contracts and grants and the summary for September 1999 are presented for Board acceptance.

WHEREAS monies are solicited and received on behalf of the University from governmental, industrial, and other agencies in support of research, instructional activities, and service; and

WHEREAS such monies are received through The Ohio State University Research Foundation:

NOW THEREFORE

BE IT RESOLVED, That the research agreement between The Ohio State University and The Ohio State University Research Foundation for the contracts and grants reported herein during the month of September 1999 be approved.

REPORT ON UNIVERSITY DEVELOPMENT

Resolution No. 2000-63

Synopsis: The report on the receipt of gifts and the summary for September 1999 are presented for Board acceptance.

WHEREAS monies are solicited and received on behalf of the University from alumni, industry, and various individuals in support of research, instructional activities, and service; and

WHEREAS such gifts are received through The Ohio State University Development Fund and The Ohio State University Foundation; and

WHEREAS this report includes the establishment of The Joseph M. Ryan, M.D. Chair in Cardiovascular Medicine, and The Joanne Wharton Murphy/Class of '65 Professorship of Law; and

WHEREAS this report includes the establishment of six (6) new named endowed funds and amendments to two (2) endowed fund:

NOW THEREFORE

BE IT RESOLVED, That the acceptance of the report from The Ohio State University Development Fund and The Ohio State University Foundation during the month of September 1999 be approved.

TOTAL UNIVERSITY PRIVATE SUPPORT

July-September
1998 Compared to 1999

GIFT RECEIPTS BY DONOR TYPE

Dollars
July through September

	<u>1998</u>	<u>1999</u>	<u>% Change</u>
Individuals:			
Alumni (Current Giving)	\$11,342,458	\$ 5,916,488	-48%
Alumni (From Bequests)	<u>343,420</u>	<u>3,363,434</u>	879%
Alumni Total	\$11,685,878	\$ 9,279,922	-21%
Non-Alumni (Current Giving)	\$ 1,602,812	\$ 3,232,306	102%
Non-Alumni (From Bequests)	<u>554,483</u>	<u>1,805,705</u>	226%
Non-Alumni Total	\$ 2,157,295	\$ 5,038,011	134%
Individual Total	\$13,843,173	\$14,317,933	3%
Corporations/Corp. Foundations	\$ 7,107,702	\$ 5,847,051	-18% ^A
Private Foundations	\$ 1,639,933	\$ 1,583,671	-3%
Associations & Other Organizations	<u>\$ 569,076</u>	<u>\$ 597,957</u>	5%
Total	\$23,159,884	\$22,346,612	-4%

NOTES

- A Corporate giving thus far in 1999 is down due to less gifts at the \$10,000 or more level (118 gifts for \$4.1 million this year; 133 gifts for \$5.5 million last year).

REPORT ON UNIVERSITY DEVELOPMENT (contd)

TOTAL UNIVERSITY PRIVATE SUPPORT (contd)

July-September
1998 Compared to 1999

GIFT RECEIPTS BY PURPOSE

Dollars
July through September

	<u>1998</u>	<u>1999</u>	<u>% Change</u>
Gift Receipts to Current Use & Endowment Funds:			
Buildings/Equipment	\$ 9,059,014	\$ 1,994,675	(78)%
Faculty Support	\$ 1,405,056	\$ 3,672,116	161%
Program Support	\$ 9,013,191	\$10,870,738	21%
Student Financial Aid	\$ 2,033,950	\$ 4,075,866	100%
Annual Funds-Colleges/Departments	\$ 1,497,874	\$ 1,528,434	2%
Annual Funds-University	<u>\$ 150,799</u>	<u>\$ 204,783</u>	36%
Total	\$23,159,884	\$22,346,612	(4)%

GIFT ADDITIONS TO ENDOWMENT

Dollars
July through September

<u>1998</u>	<u>1999</u>	<u>% Change</u>
\$12,315,108	\$10,957,754	(11)%

THE OHIO STATE UNIVERSITY DEVELOPMENT FUND

	<u>Previous Gifts</u>	<u>Current Gifts</u>	<u>Total Gifts</u>
<u>Establishment of Named Endowed Professorship</u>			
The Joanne Wharton Murphy/ Class of '65 Professorship of Law (Support for a professorship in the College of Law; provided by gifts from members of the Class of '65 of the OSU College of Law)	\$ 250,000.00		\$ 250,000.00
<u>Establishment of Named Endowed Fund</u>			
The Sunder H. Advani Memorial in Applied Mechanics Fund (Scholarships for graduate students majoring in Applied Mechanics, Mechanical Engineering; provided by gifts from friends, colleagues and former students in memory of Professor Sunder H. Advani)		\$ 25,273.33	\$ 25,273.33

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY DEVELOPMENT FUND (contd)

Change in Name and Description of Named Endowed Fund

From: The Dr. Eli G. Alcorn Prize in Ophthalmology
To: The Dr. Eli G. Alcorn and Dr. John B. Alcorn Prize in Ophthalmology

Change in Description of Named Endowed Fund

Arthur E. Baggs Memorial Fund

THE OHIO STATE UNIVERSITY FOUNDATION

	Previous <u>Gifts</u>	Current <u>Gifts</u>	Total <u>Gifts</u>
<u>Establishment of Named Endowed Chair</u>			
The Joseph M. Ryan, M.D. Chair in Cardiovascular Medicine (Support for a chair position - College of Medicine and Public Health; provided by family members, friends and colleagues in honor of Joseph M. Ryan, M.D.)	\$1,521,428.83		\$1,521,428.83
<u>Establishment of Named Endowed Funds</u>			
The Richard K. Selvage Athletic Scholarship Fund (Scholarships - Department of Athletics; provided by gifts from Richard K. Selvage)		\$ 100,000.00	\$ 100,000.00
The Ford Undergraduate Scholarships Endowment Fund (Program and scholarship support - Department of Mechanical Engineering; provided by gifts from the Ford Motor Company)		\$ 100,000.00	\$ 100,000.00
The Milton H. and Karen L. Hendricks Scholarship Fund (Scholarships - Department of Chemical Engineering; provided by gifts from Milton H. and Karen L. Hendricks)		\$ 40,800.00	\$ 40,800.00
The India Boyer '30 Fund (Program support for the Architecture Section of the Knowlton School of Architecture; provided by gifts from the estate of India Boyer, Cincinnati, Ohio)		\$ 32,319.41	\$ 32,319.41
The Ohler Family Athletic Scholarship Fund (Scholarships - Department of Athletics; provided by gifts from Mr. and Mrs. Joseph Ohler, Marysville, Ohio)		\$ 25,000.00	\$ 25,000.00
Total	\$1,771,428.83	\$323,392.74	\$2,094,821.57

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY DEVELOPMENT FUND

Establishment of Named Endowed Professorship

The Joanne Wharton Murphy/Class of '65 Professorship of Law

The Law Class of '65 Endowed Fund was established February 4, 1983, by the Board of Trustees of The Ohio State University with gifts to The Ohio State University Development Fund from members of the Class of 1965 of the OSU College of Law. The professorship was established November 5, 1999.

All gifts are to be invested in the University's Permanent Endowment Fund, under the rules and regulations adopted by the Board of Trustees of The Ohio State University, with the right to invest and reinvest as occasion dictates.

The annual income shall be used in the College of Law to fund a professorship which recognizes a distinguished scholar and teacher. Selection shall be made by the Dean of the College of Law.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Board of Trustees in consultation with the appropriate college dean, department chairperson, or program administrative officer in order to carry out the desire of the donors.

\$250,000.00 (Grandfathered)

Establishment of Named Endowed Fund

The Sunder H. Advani Memorial in Applied Mechanics Fund

The Sunder H. Advani Memorial in Applied Mechanics Fund was established November 5, 1999, by the Board of Trustees of The Ohio State University with gifts to The Ohio State University Development Fund from friends, colleagues and former students in memory of Professor Sunder H. Advani.

All gifts are to be invested in the University's Permanent Endowment Fund, under the rules and regulations adopted by the Board of Trustees of The Ohio State University, with the right to invest and reinvest as occasion dictates.

The annual income shall provide one or more scholarships to graduate students majoring in applied mechanics. The recipients of the scholarships will be selected by the Graduate Studies Committee in Mechanical Engineering in consultation with the University Committee on Student Financial Aid.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Board of Trustees in consultation with the appropriate college dean, department chairperson, or program administrative officer in order to carry out the desire of the donors.

\$25,273.33

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY DEVELOPMENT FUND (contd)

Change in Name and Description of Named Endowed Fund

The Dr. Eli G. Alcorn and Dr. John B. Alcorn Prize in Ophthalmology

The Dr. Eli G. Alcorn Prize in Ophthalmology was established December 14, 1925, by the Board of Trustees of The Ohio State University with a gift from Dr. Eli G. Alcorn of Columbus, Ohio. The name and description of the fund were changed November 5, 1999.

All gifts are to be invested in the University's Permanent Endowment Fund, under the rules and regulations adopted by the Board of Trustees of The Ohio State University, with the right to invest and reinvest as occasion dictates.

The annual income shall be awarded each year to the student of the College of Medicine and Public Health who receives the highest grade in ophthalmology or to the student who writes the most original paper on some subject connected with the eye.

It is the desire of the donor that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Board of Trustees in consultation with the Dean of the College of Medicine and Public Health in order to carry out the desire of the donor.

Change in Description of Named Endowed Fund

Arthur E. Baggs Memorial Fund

The Arthur E. Baggs Memorial Fund was established March 10, 1961, by the Board of Trustees of The Ohio State University with gifts to The Ohio State University Development Fund in memory of Arthur E. Baggs. The description was revised May 4, 1989; May 1, 1992; and was further revised November 5, 1999.

All gifts are to be invested in the University's Permanent Endowment Fund, under the rules and regulations adopted by the Board of Trustees of The Ohio State University, with the right to invest and reinvest as occasion dictates.

The annual income shall be used for a scholarship to an outstanding undergraduate student with interest in pursuing a major in the ceramic arts. Suggested studies are to include investigation of basic vessel tradition of glaze chemistry, craftsmanship, and aesthetics. The selection of the recipient will be made by the Department of Art faculty in consultation with the University Committee on Student Financial Aid.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Board of Trustees in consultation with the appropriate college dean, department chairperson, or program administrative officer in order to carry out the desire of the donors. It is the donors' expressed desire to fund activities related to one of the following curricula in order of preference: industrial design, music, photography and cinema, and art history.

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY FOUNDATION

Establishment of Named Endowed Chair

The Joseph M. Ryan, M.D. Chair in Cardiovascular Medicine

The Joseph M. Ryan, M.D., Chair Fund in Cardiovascular Medicine was established October 3, 1997, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts made in honor of, and from the family members, friends, and colleagues of, Joseph M. Ryan, M.D. (B.A. '40), Professor Emeritus, Department of Internal Medicine, Division of Cardiology, College of Medicine and Public Health, of Columbus, Ohio. The funding level has now been reached and the chair was established November 5, 1999.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

In keeping with the provisions of the original endowed fund, the annual income shall provide for a chair position to support the advancement of medical knowledge in the field of cardiovascular research, both basic and clinical, and shall be held by an individual who is or shall be a member of the Division of Cardiology in the College of Medicine and Public Health. The position shall be held by a nationally eminent faculty member who has distinguished himself/herself in the performance of cardiovascular research, who maintains an active, productive research program, and who is an effective educator-teacher. Selection shall be made as recommended by the Vice President for Health Sciences and Dean of the College of Medicine and Public Health in consultation with the Director of the Division of Cardiology. The activities of the endowed chair holder shall be reviewed no less than every five years by the Dean to determine compliance with the intent of the donor as well as the academic and research standards of the University.

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the Vice President for Health Sciences and Dean of the College of Medicine and Public Health and the Director of the Division of Cardiology in order to carry out the desire of the donors.

\$1,521,428.83

Establishment of Named Endowed Funds

The Richard K. Selvage Athletic Scholarship Fund

The Richard K. Selvage Athletic Scholarship Fund was established November 5, 1999, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Richard K. Selvage, Malibu, California.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to provide scholarship costs of student athletes who are pursuing undergraduate degrees at The Ohio State University. Recipients shall be selected by the Director of Athletics in consultation with the University Committee on Student Financial Aid.

It is the desire of the donor that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board as recommended by the Director of Athletics in order to carry out the desire of the donor.

\$100,000.00

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY FOUNDATION (contd)

Establishment of Named Endowed Funds (contd)

The Ford Undergraduate Scholarships Endowment Fund

The Ford Undergraduate Scholarships Endowment Fund was established November 5, 1999, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from the Ford Motor Company.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The Department of Mechanical Engineering shall use a portion of the fund's annual income to attract academically promising female high school seniors who intend to major in Mechanical Engineering. All will be identified as Ford Scholars.

The Department will use the remaining portion to fund Ford Scholars in the sophomore, junior, and senior classes. The emphasis for these awards will be on diversity. Preference will go to the students who were Ford Scholars when they entered the University. The Department will notify Ford of the selections in a timely manner so that Ford, to the greatest extent possible, is able to offer these students exciting and meaningful internships for the summer preceding the scholarship year. The criteria for selection will be: full-time student status; Mechanical Engineering major; superior GPA; demonstrated leadership potential and high personal standards; strong communication skills; and a strong interest in working with Ford as an intern, co-op and/or post-graduate employment.

The chairperson of the Department of Mechanical Engineering or his/her appointee will be responsible for administering these scholarships in cooperation with the University Committee on Student Financial Aid.

It is the desire of the donor that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the appropriate college dean, school director, department chairperson, or program administrative officer in order to carry out the desire of the donor.

\$100,000.00

The Milton H. and Karen L. Hendricks Scholarship Fund

The Milton H. and Karen L. Hendricks Scholarship Fund was established November 5, 1999, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Milton H. Hendricks and Karen L. Hendricks (B.S.Ch.E. '71) of Cincinnati, Ohio.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to provide a scholarship for a deserving student (or students) majoring in chemical engineering. Recipients will be selected by the dean of the College of Engineering and chair of the Department of Chemical Engineering, in consultation with the University Committee on Student Financial Aid.

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY FOUNDATION (contd)

Establishment of Named Endowed Funds (contd)

The Milton H. and Karen L. Hendricks Scholarship Fund (contd)

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board, as recommended by the dean of the College of Engineering, in order to carry out the desire of the donors.

\$40,800.00

The India Boyer '30 Fund

The India Boyer '30 Fund was established November 5, 1999 in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from the estate of India Boyer (B.Arch. '30), Cincinnati, Ohio.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

Ms. Boyer received her Bachelor of Architecture degree from The Ohio State University School of Architecture in 1930. She was one of the School's first women graduates. In 1941, Ms. Boyer became the first woman registered architect in the State of Ohio. She enjoyed a distinguished career with the United States Corp of Engineers and in private practice. Ms. Boyer was named a Distinguished Alumna of both the Phi Mu National Sorority and The Ohio State University Knowlton School of Architecture. In 1994, the practicing women architects of the Cincinnati region honored her by forming the India Boyer Chapter of Women Architects.

The annual income shall be used to support the educational programs in the Architecture Section of the Knowlton School of Architecture. Possible uses include a scholarship for a female student who has demonstrated academic excellence, or to provide an award to a member of the faculty for outstanding teaching, scholarship, or practice. The funds will be distributed at the discretion of the director of the Knowlton School of Architecture.

It is the desire of the donor that this fund should benefit the Knowlton School of Architecture and the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board in consultation with the appropriate college dean, school director, department chairperson, or program administrative officer in order to carry out the desire of the donor.

\$32,319.41

The Ohler Family Athletic Scholarship Fund

The Ohler Family Athletic Scholarship Fund was established November 5, 1999, in accordance with the guidelines approved by the Board of Directors of The Ohio State University Foundation, with gifts from Mr. and Mrs. Joseph Ohler, of Marysville, Ohio.

All gifts are to be invested by the Foundation, under the rules and regulations adopted by the Foundation's Board of Directors, with the right to invest and reinvest as occasion dictates.

The annual income shall be used to supplement the grant-in-aid scholarship costs of a scholar-athlete who is a member of the varsity football team pursuing an undergraduate degree at The Ohio State University. Recipients shall be selected by the Director of Athletics in consultation with the University Committee on Student Financial Aid.

REPORT ON UNIVERSITY DEVELOPMENT (contd)

THE OHIO STATE UNIVERSITY FOUNDATION (contd)

Establishment of Named Endowed Funds (contd)

The Ohler Family Athletic Scholarship Fund (contd)

It is the desire of the donors that this fund should benefit the University in perpetuity. If the need for this fund should cease to exist or so diminish as to provide unused income, then another use shall be designated by the Foundation Board as recommended by the Director of Athletics in order to carry out the desire of the donors.

\$25,000.00

WAIVERS OF COMPETITIVE BIDDING REQUIREMENTS

July - September 1999

Resolution No. 2000-64

Synopsis: Acceptance of the quarterly report on waivers of competitive bidding requirements is proposed.

WHEREAS the Purchasing Policy of The Ohio State University adopted by the Board of Trustees on September 7, 1984, and revised on February 7, 1992, July 8, 1994, and November 7, 1997, provides that the President and/or the Vice President for Business and Finance, or for the Hospitals of the University and their related facilities, the Associate Vice President for Health Services and Executive Director of University Hospitals, may grant a waiver from competitive bidding in the event of an emergency, when a sufficient economic reason exists or when the goods or services can be purchased from only a single source, with a report on such waivers to be made quarterly to this Board; and

WHEREAS the Vice President for Business and Finance has submitted a report on waivers of competitive bidding requirements granted for the period of July - September 1999; and

WHEREAS during the period covered, the Vice President for Business and Finance, at the requests of the departments making the purchases and upon the recommendation of the Purchasing Department, granted 52 waivers of competitive bidding requirements for annual purchases totaling approximately \$12,625,300 as shown on the enclosed exhibit:

WHEREAS during the period covered, the Associate Vice President for Health Services and Executive Director of University Hospitals, at the requests of the Hospitals of the University and their related facilities making purchases, granted 38 waivers of competitive bidding requirements for annual purchases totaling approximately \$13,010,000 as shown on the enclosed exhibit:

NOW THEREFORE

BE IT RESOLVED, That the report on waivers of competitive bidding requirements for the period of July - September 1999, is hereby accepted.

(See Appendix XV for background information, page 441.)

**EMPLOYMENT OF ARCHITECTS/ENGINEERS AND
REQUEST FOR CONSTRUCTION BIDS**

Resolution No. 2000-65

**HEART AND LUNG - ULAR
POMERENE HALL RENOVATION
SPIRIT OF WOMEN PARK**

Synopsis: Authorization to employ architect/engineering firms for the Heart and Lung – ULAR and Pomerene Hall Renovation projects and request construction bids for the Heart and Lung – ULAR, Pomerene Hall Renovation, and Spirit of Women Park projects are requested.

WHEREAS the University desires to finish a portion of the shell space in the northeast basement of the Heart and Lung Institute for use in the University Laboratory Animal Resource program; and

WHEREAS the total estimated project cost is \$1,118,273 and the total estimated construction cost is \$778,800, with funding provided by a National Institute of Health grant (\$559,137), Board of Regents Grant (\$279,568) and College of Medicine (\$279,568); and

WHEREAS the University desires to renovate space in Pomerene Hall to provide more program space for the Office of Disability Services and renovated screening room space for the School of Physical Activity and Educational Services; and

WHEREAS the total estimated project cost is \$547,906 and the total estimated construction cost is \$420,500, with funding provided by House Bill 850; and

WHEREAS Health Sciences desires to construct a park bounded by Dodd Hall, McCampbell Hall, University Hospitals Clinic and the School of Allied Medical Profession to include a water feature and be dedicated to women and the important contributions they have made; and

WHEREAS the project was approved by this Board at its meeting on February 5, 1999; and

WHEREAS the project cost has increased beyond that originally approved by this Board and the revised total estimated project cost is \$1,200,000 and the revised total estimated construction cost is \$1,000,000, with funding provided by University Hospitals:

NOW THEREFORE

BE IT RESOLVED, That the President and/or Vice President for Business and Finance be authorized to select qualified architectural/engineering firms as necessary for the Heart and Lung – ULAR, and Pomerene Hall Renovation projects and that the fees for these services be negotiated between the firm selected and the University; and

BE IT FURTHER RESOLVED, That the President and/or Vice President for Business and Finance be authorized to request construction bids for the Heart and Lung – ULAR, Pomerene Hall Renovation, and Spirit of Women Park projects in accordance with established University and State of Ohio procedures, and if satisfactory bids are received, to issue contracts with all actions to be reported to this Board at the appropriate time.

(See Appendix XVI for maps, page 443.)

WEXNER CENTER FOR THE ARTS COLLECTION POLICY

Resolution No. 2000-66

Synopsis: Adoption of the Wexner Center for the Arts Collection Policy is proposed.

WHEREAS the Wexner Center for the Arts has stewardship of the University's permanent collection of art works and is committed to the proper care and safekeeping of these objects; and

WHEREAS the Wexner Center Collection Policy governs the acquisition and accession, deaccession, attribution, and loan of art works in the permanent collection; and

WHEREAS this policy has been developed by the Wexner Center for the Arts in accordance with professional practices established by the Association of Art Museum Directors and consistent with the Wexner Center's ethics policy and has been approved by the Wexner Center Foundation Board of Trustees:

NOW THEREFORE

BE IT RESOLVED, That the Board of Trustees hereby adopts the proposed Wexner Center for the Arts Collections Policy to govern the permanent collection of the Wexner Center for the Arts.

(See Appendix XVII for background information, page 447.)

ACCEPTANCE OF THE REPORT OF AUDIT FOR 1998-99

Resolution No. 2000-67

Synopsis: The report of the audit of the financial statements for The Ohio State University for 1998-99 conducted by Deloitte & Touche is recommended for acceptance.

WHEREAS in February 1996, with the approval of the Auditor of State, The Ohio State University entered into a five-year agreement with Deloitte & Touche for an annual audit of the University for fiscal years 1995-96 through 1999-2000; and

WHEREAS the Deloitte & Touche audit of the University for 1998-99, meeting the requirements of the Auditor of State, has been received and the accounts, records, files, and reports of the University have been found to be in satisfactory condition, but certain recommendations have been discussed with the Fiscal Affairs Committee; and

WHEREAS the auditors' recommendations are being studied by the appropriate University offices, and procedures and responses are being developed as a result of the recommendations:

NOW THEREFORE

BE IT RESOLVED, That the report of the Deloitte & Touche audit for The Ohio State University for 1998-99, including the report on the audit of the University's financial statements and the summary of significant recommendations to management, be accepted.

DISPOSITION OF UNIVERSITY HOSPITALS EAST HOME CARE PROGRAM

Resolution No. 2000-68

Synopsis: Sale of University Hospitals East home care program to the University Home Care Services, Inc., is proposed.

WHEREAS as part of the acquisition of Park Medical Center, The Ohio State University acquired that hospital's home care program; and

WHEREAS since that acquisition, the University's Medical Center has been reviewing the operation of that program and how and where it should be structured and operated; and

WHEREAS University Home Care Services, Inc., an organization related to MedOhio Health, Inc., has expressed interest in acquiring this home care program; and

WHEREAS such consolidation of home care programs would provide greater cost efficiencies and broaden the access to necessary services for individuals served by these programs; and

WHEREAS the proposed sale price of \$50,000 is consistent with an independent appraisal of the fair market value of the University Hospitals East home care program, and no real property is included in this sale:

NOW THEREFORE

BE IT RESOLVED, That the Vice President for Business and Finance, in consultation with the Associate Vice President for Health Services and Executive Director of University Hospitals, be authorized to sell and transfer to the University Home Care Services, Inc., all of the University's interest in the assets of the University Hospitals East home care program, at a price of not less than \$50,000 and upon such other terms and conditions as are deemed to be in the best interest of the University.

(See Appendix XVIII for background information, page 457.)

Upon motion of Mr. Skestos, seconded by Mr. Brennan, the Board of Trustees adopted the foregoing resolutions by unanimous roll call vote, cast by Messrs. Colley, Skestos, Brennan, Patterson, Sofia, and Slane.

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President Kirwan:

Now for a separate vote and, I believe, Mr. Sofia has a motion to make.

Mr. Sofia:

Mr. President, I would like to make a motion, with respect to the Bylaws of the Arthur G. James Cancer Hospital and Richard J. Solove Research Institute Board, to call for two members, rather than one, to be added to the Board; making it six general public members.

Upon motion of Mr. Skestos, seconded by Mr. Patterson, the Board of Trustees approved the amendment to the resolution before them, The James Cancer Hospital and Solove Research Institute Board bylaws. This amendment to the resolution increased the number of general public members appointed to The James Cancer Hospital Board from four to six.

Mr. Sofia: (contd)

If I could now speak about the resolution. The amended resolution regarding the Bylaws of the Arthur G. James Cancer Hospital Board, will expand its members from four to six. The resolution was to have five general public members and we have amended it to make it six members.

**AMENDMENTS TO THE BYLAWS OF THE ARTHUR G. JAMES CANCER HOSPITAL
AND RICHARD J. SOLOVE RESEARCH INSTITUTE BOARD**

Resolution No. 2000-69

WHEREAS The Arthur G. James Cancer Hospital and Richard J. Solove Research Institute Board (the "CHRI Board"), includes four citizen members from the general public appointed by the university board of trustees; and

WHEREAS it is desirable to increase the number of citizen board members to six to ensure that the membership of the CHRI Board includes persons with legal and business expertise as well as knowledge of health care issues, the health care mission of the university and relations between public and governmental entities; and

WHEREAS the members of the CHRI Board have indicated their support of the proposal to increase the number of citizen board members to six: and

NOW THEREFORE

BE IT RESOLVED, That rule 3335-109-01 (A)(1)(g) and (h) be amended as follows:

3335-109-01 General

(A) Unchanged.

(1) The board shall be composed of:

(a) through (f) unchanged.

(g) ~~Four~~ SIX citizens from the general public appointed by the university board of trustees in consultation with the university president. The initial term of office of ~~all~~ four of the community members shall commence May 14, 1996. Said initial terms of the four community members shall expire as follows: one on May 13, 1997; one on May 13, 1998; one on May 13, 1999; and one on May 13, 2000. THE INITIAL TERM OF OFFICE OF THE FIFTH AND SIXTH COMMUNITY MEMBERS SHALL COMMENCE ON JANUARY 1, 2000 AND SHALL EXPIRE ON MAY 13, 2004. Thereafter, terms of office of community members shall be for four years, commencing on May fourteenth and ending on May thirteenth. Each community member shall hold office from the date of appointment until the end of the term for which appointed. Any community member appointed to fill a vacancy occurring prior to the expiration of the term for which his or her predecessor was appointed shall hold office for the remainder of such term. No person who has served two full four-year terms shall be eligible for reappointment; and

(h) The university SENIOR vice president for health sciences and ~~the~~ dean of the college of medicine and public health shall be AN ex-officio ~~members~~ MEMBER of the board without vote.

Balance unchanged.

Upon motion of Mr. Sofia, seconded by Mr. Skestos, the Board of Trustees adopted the foregoing resolution by unanimous voice vote.

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 A OF THE OHIO STATE UNIVERSITY**

Resolution No. 2000-70

Synopsis: Providing for the authorization, issuance and sale of General Receipts (the "Series 1999 A Bonds"), in a principal amount determined as provided herein, for the purposes of (A) the acquisition, construction and installation of the Series 1999 Project, as defined herein; (B) currently refunding the outstanding principal amount of certain Prior Obligations (as defined herein); (C) paying costs and expenses associated with the issuance of the 1999 A Bonds; and (D) authorizing an Amended and Restated Trust Indenture to secure the payment of Debt Service Charges and for related purposes.

WHEREAS pursuant to Sections 3345.11 and 3345.12 of the Ohio Revised Code (the "Act"), as enacted under authority of the Constitution of Ohio, particularly Section 2i of Article VIII thereof, The Ohio State University (the "University"), a state university of the State of Ohio (the "State"), created and existing under Chapter 3335 of the Ohio Revised Code, is authorized and empowered, among other things, (a) to issue, as provided herein, Obligations (as defined in the Indenture (as hereinafter defined)) of the University to pay the costs of certain capital facilities defined as "facilities" in the Act (and herein called "University Facilities") and to refund, fund or retire bonds and other obligations previously issued for such purpose; (b) to pledge to the payment of the Obligations all or a specified part of the gross amount of the General Receipts of the University (as defined in the Original Indenture) in priority to all other expenses, claims or payments; (c) to covenant, as herein provided, that the University will make, fix, adjust and collect the fees, rates, rentals, charges and other items comprising General Receipts to produce General Receipts sufficient at all times to meet Debt Service Charges (as defined in the Amended and Restated Trust Indenture described below) on the Obligations, to establish and to maintain the required reserves and meet other requirements herein provided; and (d) to provide for a trust indenture and make further provisions for securing the payment of the Debt Service Charges; and

WHEREAS the University, by resolution adopted by its Board of Trustees (the "Board") on November 1, 1985 (the "Series 1985 A Bond Resolution") and by a Trust Indenture dated as of November 15, 1985 (the "Original Indenture") between the University and The Huntington National Bank, as Trustee (the "Trustee"), has provided for the issuance from time to time of General Receipts Bonds of the University, with each such issue to be authorized by a Series Resolution (as defined in the Original Indenture) adopted by the Board pursuant thereto and secured pursuant to the terms of a Supplemental Indenture (as defined in the Original Indenture) with respect to such issue (the Original Indenture and each indenture supplemental thereto being referred to collectively herein as the "Prior Indenture"); and

WHEREAS the University has heretofore issued pursuant to the Series 1985 A Bond Resolution and the Original Indenture, the \$27,680,000 The Ohio State University General Receipts Refunding Bonds, Series 1985 A, dated as of November 15, 1985 (the "Series 1985 A Bonds") all of which have redeemed and are no longer outstanding; and

WHEREAS the University has heretofore issued pursuant to the Series 1985 A Bond Resolution, the resolution, adopted by the Board on December 6, 1985 (the "Series 1985 B Bond Resolution"), the Original Indenture and the First Supplemental Trust Indenture, dated as of December 1, 1985 (the "First Supplemental Indenture"), between the University and the Trustee, as amended by the Amendment Agreement, dated as of December 1, 1986, between the University and the Trustee, as further amended by the First Supplemental Trust Indenture Amendment Agreement, dated as of March 1, 1988, between the University and the Trustee, the \$42,500,000 The Ohio State University Variable Rate Demand General Receipts Bonds, Series 1985 B, initially dated as of December 30, 1985 (the "Series 1985 B Bonds"), of which amount \$2,800,000 in principal amount is outstanding as of the date hereof; and

WHEREAS the University has issued pursuant to the Series 1985 A Bond Resolution, a resolution adopted by the Board on July 11, 1986 (the "Series 1986 A Bond Resolution"), the Prior Indenture and the Second Supplemental Trust Indenture, dated as of July 15, 1986 (the "Second Supplemental Indenture"), between the University and the Trustee, the \$45,000,000 The

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 A OF THE OHIO STATE UNIVERSITY (contd)**

Ohio State University General Receipts Bonds, Series 1986 A, dated as of July 15, 1986 (the "Series 1986 A Bonds") which have been advance refunded by the Series 1992 A2 Bonds described below; and

WHEREAS the University has heretofore issued pursuant to a resolution adopted by the Board on July 11, 1986 (the "Series 1986 B Bond Resolution"), the Series 1985 A Resolution, the Original Indenture and the Amended Third Supplemental Trust Indenture, dated as of August 1, 1986 (the "Third Supplemental Indenture"), between the University and the Trustee, the \$45,000,000 The Ohio State University Variable Rate Demand General Receipts Bonds, Series 1986 B, initially dated as of August 14, 1986 (the "Series 1986 B Bonds"), of which amount \$27,200,000 is outstanding as of the date hereof; and

WHEREAS the University has issued pursuant to the Series 1985 A Bond Resolution, a resolution adopted by the Board on April 6, 1990 (the "Series 1990 Bond Resolution"), the Prior Indenture and the Fourth Supplemental Trust Indenture, dated as of April 1, 1990 (the "Fourth Supplemental Indenture"), between the University and the Trustee, the \$54,265,000 The Ohio State University General Receipts Bonds, Series 1990, dated as of April 1, 1990 (the "Series 1990 Bonds") which have been advance refunded by the Series 1992 A2 Bonds described below; and

WHEREAS the University has issued pursuant to the Series 1985 A Bond Resolution, the resolution adopted by the Board on September 2, 1992 (the "Series 1992 A Bond Resolution"), the Prior Indenture and the Fifth Supplemental Trust Indenture, dated as of September 1, 1992 (the "Fifth Supplemental Indenture"), between the University and the Trustee, the \$60,520,000 The Ohio State University General Receipts Bonds, Series 1992 A1, and the \$103,800,000 The Ohio State University General Receipts Refunding Bonds, Series 1992 A2 (collectively, the "Series 1992 A Bonds"); and

WHEREAS the University has issued pursuant to the Series 1985 A Bond Resolution, the resolution adopted by the Board on September 2, 1992 (the "Series 1992 B Bond Resolution"), the Prior Indenture and the Sixth Supplemental Trust Indenture, dated as of November 1, 1992 (the "Sixth Supplemental Indenture"), between the University and the Trustee, the \$30,200,000 The Ohio State University General Receipts Bonds, Series 1992 B (the "Series 1992 B Bonds") which have been currently refunded by the Series 1997 Bonds described below; and

WHEREAS the University has issued pursuant to the Series 1985 A Bond Resolution, the resolution adopted by the Board on November 7, 1997 (the "Series 1997 Bond Resolution"), the Prior Indenture and the Seventh Supplemental Trust Indenture, dated as of December 1, 1997 (the "Seventh Supplemental Indenture") between the University and the Trustee, the \$79,540,000 The Ohio State University Variable Rate Demand General Receipts Bonds, Series 1997 (the "Series 1997 Bonds"); and

WHEREAS the University has authorized the issuance pursuant to the Series 1985 A Bond Resolution, the resolution adopted by the Board on July 10, 1998 (the "Series A Commercial Paper Resolution"), the Prior Indenture and the Eighth Supplemental Trust Indenture, dated as of August 1, 1998 (the "Eighth Supplemental Indenture") between the University and the Trustee, \$120,000,000 The Ohio State University General Receipts Commercial Paper Notes, Series A (the "Series A Notes") of which authorized amount \$73,000,000 is issued and outstanding as of the date hereof; and

WHEREAS the University has authorized the issuance pursuant to the Series 1985 A Bond Resolution, the resolution adopted by the Board on June 4, 1999 (the "Series B Commercial Paper Resolution"), the Prior Indenture and the Ninth Supplemental Indenture dated as of June 1, 1999 (the "Ninth Supplemental Indenture") between the University and the Trustee, \$158,700,000 The Ohio State University General Receipts Commercial Paper Notes, Series B (the "Series B

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 A OF THE OHIO STATE UNIVERSITY (contd)**

Notes" and together with the Series 1986 Bonds and the Series A Notes, the "Prior Obligations") of which \$38,000,000 is issued and outstanding as of the date hereof; and

WHEREAS the Board has determined that it is in the best interests of the University to authorize the issuance of The Ohio State University General Receipts Bonds, Series 1999 A (the "Series 1999 A Bonds") in the principal amount not to exceed \$85,000,000 for the purpose of paying or reimbursing a portion of the costs of the Series 1999 Project, currently refunding the Prior Obligations and paying costs and expenses associated with the issuance of the Series 1999 A Bonds; and

WHEREAS the University desires to authorize the execution, delivery and performance of an Amended and Restated Trust Indenture dated as of December 1, 1999 (the "Amended and Restated Indenture") between the University and the Trustee for the purpose of amending and restating the Original Indenture in the manner provided for therein by obtaining the consent of the Holders of a majority in principal amount of the outstanding obligations; and

WHEREAS the University desires to make provisions for the issuance of the Series 1999 A Bonds and for the payment of the Debt Service Charges thereon and the securing thereof by this Resolution and a First Supplement to the Amended and Restated Trust Indenture (the "First Supplement") together with the Amended and Restated Trust Indenture (the "First Supplement" and together with the Amended and Restated Trust Indenture, the "Indenture") herein authorized.

NOW THEREFORE

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE OHIO STATE UNIVERSITY as follows:

Section 1. Definitions and Interpretations. All words and terms defined in the Amended and Restated Indenture and all interpretations therein provided shall have in this Resolution the same meanings, respectively, and be subject to the same interpretations as therein provided or used, unless the context or use clearly indicates another or different meaning or intent. Terms not appearing in the Amended and Restated Indenture but used herein and not previously defined herein are defined as follows:

"Certificate of Award" means the Certificate of Award authorized pursuant to Section 3 of this Resolution.

"Code" means the Internal Revenue Code of 1986, as amended, the Treasury Regulations (whether proposed, temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code means that Section, including any applicable successor section or provision and such applicable Treasury Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"Contract of Purchase" means the Contract of Purchase between the Original Purchasers and the University, authorized pursuant to Section 3 hereof.

"Mandatory Sinking Fund Requirements" means amounts required by this Resolution to be deposited into the Debt Service Fund in any year for the purpose of retiring principal maturities of the Series 1999 A Bonds which by the terms of such Bonds are due and payable, If not called for prior redemption, in any subsequent fiscal year of the University.

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 A OF THE OHIO STATE UNIVERSITY (contd)**

"Official Statement" means, as to the Series 1999 A Bonds, the Official Statement including, without limitation, the Preliminary Official Statement, relating to the original issuance of the Series 1999 A Bonds, authorized pursuant to Section 3 hereof.

"Original Purchasers" means, as to the Series 1999 A Bonds, Salomon Smith Barney, Fifth Third Securities, Inc., AG Edwards & Sons, Inc., Seasingood & Mayer and SBK-Brooks Investment Corp.

"Paying Agent" means the Trustee.

"Series 1999 A Bond Resolution" or "this Resolution" as used herein, means this Resolution and the Certificate of Award, as the same may be amended from time to time.

"Series 1999 Project" means, collectively:

- (i) constructing and installing the Keck Genetic Research Facility,
- (ii) constructing and installing the Astronomical Instrumentation Center,
- (iii) constructing and installing infrastructure improvements, including: the extension of chilled water lines to Baker System, Coldwell Laboratory and the Journalism Building; replacement of steam lines from the McCracken Power Plant to the vicinity of St. John Arena; construction of a storm water detention area and storm sewers near Buckeye Village; the extension of Fyffe Road from Hess Road North to Ackerman Road, replacement of a steam boiler and extension of chilled water lines and steam lines from the McCracken Power Plant, construction of new walkways and landscaping and storm water improvements at Neil Avenue and 19th Avenue, the extension of Ines Drive to Tuttle Park Place and sidewalks and utilities in connection with the Fisher College of Business,
- (iv) construction of recreation and intramural sports fields,
- (v) construction and installation of the Tuttle Park Place Garage,
- (vi) construction and installation of the Heart and Lung Institute,
- (vii) constructing and installing the Success Center,
- (viii) residence halls improvements including: demolition and construction work at Baker Hall; renovation and improvements at the south high rises; roof replacement for Mack Hall, Old Canfield Hall and Baker Hall; interior upgrades for Neilwood Gables; installation of fiber optics in 18 residence halls; upgrade elevators at Mack Hall and the Rathskeller; upgrade residence hall fire systems; renovation and improvement to various residence hall facilities, including (I) North Commons dining area upgrade, (II) Raney Commons remodeling, (III) renovation of the ASH Scholarship House, (IV) upgrade of the Ohio Union Conference Theater, (V) installation of card readers at residence hall entrances, (VI) renovation of Baker Hall, (VII) renovation of Mack/Canfield Hall, (VIII) South High-rise closet replacement, (IX) Jones Tower elevator modernization and HVAC unit replacement, (X) Scott House HVAC replacement, (XI) Lincoln Tower elevator modernization and (XII) Morrison Tower chiller replacement,
- (ix) renovations to Ohio Stadium,
- (x) reimbursement of the costs of acquisition of a health care facility formerly known as Park Medical Center,

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 A OF THE OHIO STATE UNIVERSITY (contd)**

- (xi) paying a portion of the costs of construction and installation of six building complex for the Fisher College of Business,
- (xii) financing the acquisition of real property in connection with campus area redevelopment,
- (xiii) constructing and installing a facility to house the Food Science Technology Program, each of (i) through (xviii) constituting a Component (as defined in Section 5 of this Resolution) and a University Facility.

"Series 1999 Project Account" means the Series 1999 Project Account held by the University and created in Section 5 hereof to be funded in part with the proceeds of the Series 1999 A Bonds.

Any reference herein to the University, the Board, or to any members or officers thereof or to other public boards, commissions, departments, institutions, agencies, bodies, entities or officers, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions. Any reference to a section or provision of the Ohio Revised Code or to the laws of Ohio shall include such section or provision and such laws as from time to time amended, modified, revised, supplemented, or superseded, provided that no such amendment, modification, revision, supplementation, or supersession shall alter the obligation to pay the Debt Service Charges in the amount and manner, at the times, and from the sources provided in this Resolution, the Amended and Restated Trust Indenture and the First Supplement, except as otherwise herein permitted.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "herein," "hereby," "hereto," "hereunder," and similar terms, mean this Resolution.

Section 2. Authorization; Terms; Pledge; and Covenant.

(a) Authorization. The Series 1999 A Bonds shall be designated and known as "The Ohio State University General Receipts Bonds, Series 1999 A" and shall be issued pursuant to and as authorized by the Act, Section 2i of Article VIII of the Ohio Constitution, this Resolution, the Amended and Restated Trust Indenture and the First Supplement. The Series 1999 A Bonds shall be issued for the purposes of financing a portion of the costs of the University Facilities comprising the Series 1999 Project, currently refunding the Prior Obligations and paying costs and expenses incidental to the issuance of the Series 1999 A Bonds.

(b) Form and Numbering. The Series 1999 A Bonds shall be issued only as fully registered bonds. The Series 1999 A Bonds shall be numbered as determined by the Trustee which will distinguish each Series 1999 A Bond from each other Series 1999 A Bond.

(c) Denominations and Dates. The Series 1999 A Bonds shall be issuable in denominations of \$5,000 and integral multiples thereof and shall be dated as of December 1, 1999.

(d) Principal Amount. The Series 1999 A Bonds shall be issued in the principal amount specified in the Certificate of Award, which amount shall not exceed \$85,000,000.

(e) Delivery and Execution. The Treasurer is hereby authorized to make the necessary arrangements with the Original Purchasers to establish the date, location, procedures and conditions for the delivery of the Series 1999 A Bonds to the Original Purchasers and to take all steps as necessary to effect due execution, authentication, sale and delivery of the Series 1999 A Bonds to the Original Purchasers under the terms of this Resolution. The Series 1999 A Bonds shall be signed by the Chairman of the Board (the "Chairman") and the Treasurer in their

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 A OF THE OHIO STATE UNIVERSITY (contd)**

official capacities (provided that both of the signatures may be facsimiles) and shall bear the corporate seal of the University or a facsimile thereof.

(f) Interest and Maturities.

(i) The Series 1999 A Bonds shall bear interest on the unpaid principal amount thereof from the most recent date to which interest has been paid or duly provided for or, if no interest has been paid or provided for, from their date, with interests payable semi-annually on each June 1 and December 1 (the "Interest Payment Dates"), commencing June 1, 2000, at the percentage rate or rates per annum set forth in the Certificate of Award. Interest shall be calculated on the basis of a 360-day year consisting of twelve 30-day months. Such rate or rates shall in no event produce an average interest rate for the Series 1999 A Bonds in excess of seven percent (7.00%) per annum.

(ii) The Series 1999 A Bonds shall mature not later than December 1, 2029 and in such annual amount or amounts as are provided for in the Certificate of Award.

(iii) Any mandatory redemption of Series 1999 A Bonds of certain maturities prior to maturity pursuant to any Mandatory Sinking Fund Requirements shall be as provided in the Certificate of Award. Notice of call for mandatory sinking fund redemption of the Series 1999 A Bonds shall be given in the manner provided in the indenture.

(iv) Certain maturities of the Series 1999 A Bonds, if so provided for in the Certificate of Award, shall be subject to optional redemption at the option of the University prior to stated maturity, in whole or in part, but if in part, only in installments of \$5,000 principal amount of such Series 1999 A Bond or integral multiples thereof, in accordance with the terms, conditions, redemption prices and on the dates set forth in the Certificate of Award. Notice of call for and other terms and provisions governing redemption of the Series 1999 A Bonds shall be given in the manner provided in the Indenture. At no time shall the redemption price on any Series 1999 A Bonds, exclusive of accrued interest, exceed one hundred and two percent (102%) of the principal amount of such Bond to be redeemed.

(g) Security. As provided in the Amended and Restated Trust Indenture as supplemented by the First Supplement, there is hereby pledged to the security of the Series 1999 A Bonds and for the payment of the Debt Service Charges on the Series 1999 A Bonds, (i) the gross amount of General Receipts of the University (subject to the provisions for the partial release of a pledge of General Receipts contained in Section 4.11 of the Amended and Restated Indenture) and (ii) the monies contained in the Special Funds, but excluding the Bond Reserve Fund. Anything else to the contrary in the Indenture or this Resolution notwithstanding, the Series 1999 A Bonds shall not have access to, any claim upon or be secured by the Series 1999 Project Account.

The pledge of General Receipts in the immediately preceding paragraph shall be on a parity with expenses, claims and payments relating to other Parity Obligations and in priority to all other expenses, claims and payments of the University. In accordance with the Act, all General Receipts or portions thereof are immediately subject to the lien of the pledge upon receipt thereof by the University. Furthermore, the Pledge contained herein and the Amended and Restated Indenture is not in derogation of the pledge contained in the Original Indenture, the Prior Indenture, any Series Resolution adopted pursuant to the Original Resolution or any Bond proceedings with respect to any Obligations currently outstanding, it being the intention of the University that all such Obligations outstanding upon the execution and delivery of the Amended and Restated Trust Indenture shall be Parity Obligations within the meaning of the Amended and Restated Trust Indenture, equally and ratably secured by the pledge of General Receipts of the University herein and therein contained.

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 A OF THE OHIO STATE UNIVERSITY (contd)**

For purposes of the Amended and Restated Trust Indenture, this Resolution shall serve as both the "1999 General Bond Resolution" for the purpose of authorizing the execution, delivery and performance of the Amended and Restated Trust Indenture and a "Series Resolution" for purposes of authorizing the execution, delivery and performance of the First Supplement.

For the further security of the Series 1999 A Bonds, and any other Obligations, the University hereby covenants with the bondholders and the Trustee that so long as any Series 1999 A Bonds or Obligations are outstanding, the University shall fix, make, adjust and collect fees, rates, rentals, charges, and other items of General Receipts, as will produce at all times General Receipts sufficient (i) to pay Debt Service Charges when due, (ii) together with other monies lawfully available therefor, to pay all costs and expenses required to be paid under the Bond proceedings, and (iii) together with other monies lawfully available therefor, to pay all other costs and expenses necessary for the proper maintenance and successful and continuous operation of the University.

(h) Payment, Places of Payment and Paying Agents. The principal of and any redemption premium on any Series 1999 A Bond when due shall be payable to the registered holder upon presentation and surrender thereof at the principal corporate trust office of the Trustee or any duly authorized Paying Agent. Interest on Series 1999 A Bonds shall be payable by check or draft mailed by the Trustee as provided in the Indenture; provided, however, that interest on Series 1999 A Bonds aggregating \$1,000,000 or more in principal amount registered in the name of a single holder shall be paid by wire transfer in immediately available funds to such account, if any, as such holder directs in writing to the Trustee at least ten (10) days prior to any Interest Payment Date, such payment by wire transfer pursuant to that direction continuing in effect as to subsequent Interest Payment Dates until such time as the holder notifies the Trustee to the contrary or until such time as such holder ceases to be a holder of the requisite principal amount of Series 1999 A Bonds.

(i) Book Entry. Subject to the provisions of the immediately following paragraph, the Series 1999 A Bonds shall be issued only to a Depository for holding in a Book Entry System. Those Series 1999 A Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; and shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the University. Each maturity of the Series 1999 A Bonds shall be evidenced by a single certificate in the aggregate principal amount of the Series 1999 A Bonds maturing on each such maturity date.

If any Depository determines not to continue to act as a Depository for the Series 1999 A Bonds for holding in a Book Entry System, the University may attempt to have established a securities depository/Book Entry System relationship with another qualified Depository. If the University does not or is unable to do so, the University, after making provision for notification of the owners of book entry interests by appropriate notice to the then Depository and any other arrangements it deems necessary, shall permit the withdrawal of the Series 1999 A Bonds from the Depository, and authenticate and deliver the Series 1999 A Bond certificates, in fully registered form to the assigns of the Depository or its nominee (if such Bond was held by a nominee), all at the cost and expense (including costs of printing or otherwise preparing and delivering replacement Series 1999 A Bonds) of the University. Series 1999 A Bond certificates authenticated and delivered pursuant to this paragraph shall be in the denomination of \$5,000 or any integral multiple thereof.

Section 3. Amended and Restated Trust Indenture; Contract of Purchase; Certificate of Award; Official Statement; Continuing Disclosure Agreement. To secure the pledge of General Receipts for the payment of Debt Service Charges on all Obligations, the execution, delivery and performance of the Amended and Restated Trust Indenture in substantially the form on file with the Secretary of the Board is hereby approved and authorized. The Chairman, the President of the University, the Secretary of the Board and the Treasurer, or any one or more of

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 A OF THE OHIO STATE UNIVERSITY (contd)**

them, are authorized and directed to execute and deliver to the Trustee, in the name and on behalf of the University such Amended and Restated Trust Indenture, with such changes therein as are not substantially adverse to the University and as may be permitted by the Act and approved by the officers executing the same on behalf of the University. Execution by the officer or officers of the University shall be conclusive evidence that any such changes are not substantially adverse to the University. The Treasurer of the University is directed and authorized to solicit, with such assistance from the Original Purchasers, the Trustee or others as he shall, in his sole reasonable discretion, deem necessary, the consent of the holders of a majority in principal amount of Obligations outstanding to the execution and delivery of the Amended and Restated Trust Indenture. The Series 1999 A Bonds are sold and awarded to the Original Purchasers in accordance with the Contract of Purchase at the purchase price provided in the Certificate of Award. The form of Contract of Purchase now on file with the Secretary of the Board is hereby approved, together with any changes therein and completions thereof which are not inconsistent with this Resolution and not substantially adverse to the University, and as are permitted by the Act and approved on behalf of the University by the Chairman or the Treasurer. The approval on behalf of the University of those changes and completions by the Chairman or the Treasurer, and the status of those changes as not substantially adverse to the University, shall be conclusively evidenced by the execution of the Contract of Purchase on behalf of the University by the Chairman or the Treasurer. It is determined hereby that the purchase price and the manner of sale and the terms of the Series 1999 A Bonds, as provided in this Resolution and the Contract of Purchase are consistent with all legal requirements and will carry out the public purposes of the Act.

The sale and award of the Series 1999 A Bonds shall be further evidenced by the Certificate of Award. The Certificate of Award is hereby authorized and shall be executed by the Chairman or the Treasurer. The Certificate of Award shall state or confirm the aggregate principal amount of the Series 1999 A Bonds, the purchase price of such Bonds, the interest rate or rates with respect to each maturity of such Bonds, the annual principal amount or amounts of such Bonds becoming due, the maturity dates, any Mandatory Sinking Fund Requirements and the optional redemption provisions, all as determined in accordance with the provisions of this Resolution and the Contract of Purchase, and all of which shall be conclusively evidenced by the execution of the Certificate of Award. The Certificate of Award shall also contain such other dates or provisions as the Chairman or the Treasurer determines are appropriate or necessary, and as are consistent with this Resolution, the Indenture, the First Supplement and the Contract of Purchase.

The use and distribution of the Preliminary Official Statement and the Official Statement relating to the Series 1999 A Bonds by the Original Purchasers is hereby approve, authorized and ratified. The Preliminary Official Statement is deemed final by the University for purposes of Securities Exchange Commission Rule 15c2-12 except for such omissions therefrom as may be permitted by such Rule. The Official Statement, substantially in the form of the Preliminary Official Statement now on file with the Secretary of the Board, shall be executed by the Chairman and the Treasurer or either of them, each in his official capacity on behalf of the University with any modifications, changes and supplements necessary or desirable for the purposes thereof which the Chairman or the Treasurer shall approve. The Board has not confirmed, and assumes no responsibility for, the accuracy, sufficiency or fairness of the statements in the Preliminary Official Statement or the final Official Statement under the caption "UNDERWRITING."

The execution, delivery and performance of the Continuing Disclosure Agreement dated as of December 1, 1999 (the "Continuing Disclosure Agreement") between the University and the Trustee in the form now on file with the Secretary of the Board is hereby authorized and approved, together with any changes therein which are not substantially adverse to the University. The Chairman and the Treasurer, or either of them is each authorized to execute the Continuing Disclosure Agreement and such execution by either or both of them shall be conclusive evidence that such changes are not substantially adverse to the University.

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 A OF THE OHIO STATE UNIVERSITY (contd)**

Section 5. Allocation of Proceeds. The proceeds from the sale of the Series 1999 A Bonds, including any accrued interest, shall be allocated, deposited and applied as follows:

- (i) To the Debt Service Fund, accrued interest received on the sale of the Series 1999 A Bonds;
- (ii) To the Series 1999 Project Account, created pursuant to Section 5 of this Resolution, the amount of the proceeds of the Series 1999 A Bonds as specified in the Certificate of Award, to be applied to the purposes of that Fund, including transfers from that Fund authorized by the Act and to pay costs and expenses associated with the issuance of the Series 1999 A Bonds; and
- (iii) To the Debt Service Fund, the amount of the proceeds of the Series 1999 A Bonds as specified in the Certificate of Award for the purpose of currently redeeming the Prior Obligations on the next available redemption date.

Section 6. Series 1999 Project Account. There is hereby created by the University an account within the Facilities Fund to be maintained in the custody of the Treasurer and designated the "Series 1999 Project Account." The Series 1999 Project Account shall be funded in part from the proceeds of the sale of the Series 1999 A Bonds. Such proceeds shall be used for the payment or reimbursement of a portion of the costs and expenses relating to the Series 1999 Project, and costs and expenses associated with the issuance of the Series 1999 A Bonds. The Series 1999 Project Account shall not constitute a Special Fund and shall not be pledged to the payment of Debt Service Charges.

Moneys held in the Series 1999 Project Account, including all investment earnings thereon, pending disbursement from the Series 1999 Project Account shall be invested in Authorized Investments specified in Section VIII of the Non-Endowment Investments Policy of the University attached hereto as Exhibit A, as the same may be amended from time to time. If the proceeds of the Series 1999 A Bonds remain unspent upon the issuance of any Obligations to fund costs of the Series 1999 Project, the University shall establish separate accounts and subaccounts, for accounting purposes, for the deposit of the proceeds of such Obligations in accordance with the provisions of this Section 5.

The Treasurer shall maintain such books and records with respect to disbursements from the Series 1999 Project Account so as to enable the Treasurer to determine the name of any payee of any such disbursement, the date on which such disbursement occurred, the amount of such disbursement and the purpose for which such disbursement was made. Investment earnings on the funds on deposit in the Series 1999 Project Account may, at the discretion of the University, be paid to the Trustee for deposit in the Bond Service Account in the Debt Service Fund to be used to pay Debt Service Charges on the Series 1999 A Bonds.

Upon the determination by the Treasurer that the costs incurred in connection with any item listed in Section 1 hereof in the definition of Series 1999 Project (each a "Component") to be paid from the Series 1999 Project Account have been paid in full or provision for such payment has been made, the University may use any remaining moneys on deposit in the Series 1999 Project Account with respect to such Component to fund the costs of other Components or to fund the costs of additional projects constituting University Facilities (each, an "Additional Project"). Monies remaining on deposit in the Series 1999 Project Account after the completion of the Series 1999 Project and any Additional Projects shall be used by the University in any manner which, in the opinion of Bond Counsel, shall be permissible under the Act and the Code.

Section 7. Application of Bond Proceeds. The University covenants that the use of the proceeds of the Series 1999 A Bonds will be restricted in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time of delivery of and payment for the Series 1999 A Bonds, so that the Series 1999 A Bonds will not

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 A OF THE OHIO STATE UNIVERSITY (contd)**

constitute arbitrage bonds under Sections 103(c) and 148 of the Code. The Treasurer of the University, or any other officer having responsibility with respect to the issuance of the Series 1999 A Bonds, alone or in conjunction with any other officer or employee of or consultant to the University, will give an appropriate certificate of the University for inclusion in the transcript of proceedings for the Series 1999 A Bonds setting forth the reasonable expectations of the University regarding the amount and use of all those proceeds and the facts and estimates on which they are based, all as of the date of original delivery of and payment for the Series 1999 A Bonds.

The University further covenants that it will take all actions required to maintain the exclusion from gross income for purposes of federal income taxation of interest on the Series 1999 A Bonds, and will not take, nor permit to be taken, any actions which would adversely affect such exclusion under the provisions of the Code that apply to the Series 1999 A Bonds; and the Chairman or the Treasurer and other appropriate officers are hereby authorized to take such actions and give such certifications as may be appropriate to assure such exclusion from gross income of interest on the Series 1999 A Bonds.

Section 8. Call for Redemption of Prior Obligations. The University hereby determines that each of the Prior Obligations shall be called for optional redemption at the earliest date on which each of them may be redeemed pursuant to the Prior Indenture and that the execution and delivery by the University of the First Supplement shall constitute the irrevocable direction to the Trustee to send such notices as are required by the Indenture to effect such call for redemption. The execution of the First Supplement and the acceptance of the estate conveyed thereby by the Trustee shall constitute the receipt by the Trustee of such direction and the agreement by the Trustee to give the aforementioned notices.

Section 9. First Supplement. In order to better secure the payment of the Debt Service Charges as the same shall become due and payable, the Chairman, the President of the University, the Secretary of the Board and the Treasurer, or any one or more of them, are authorized and directed to execute and deliver to the Trustee, in the name and on behalf of the University and pursuant to the Amended and Restated Indenture, the First Supplement, in substantially the form submitted to this Board and hereby approved, with such changes therein as are not substantially adverse to the University and as may be permitted by the Act and approved by the officers executing the same on behalf of the University. Execution by the officer or officers of the University shall be conclusive evidence that any such changes are not substantially adverse to the University. The First Supplement shall also include the forms of the Series 1999 A Bonds. The execution of such document by any of such officers shall conclusively evidence the approval of such officers and the Board and that such changes are not substantially adverse to the University. Such officers are each further authorized to execute and deliver on behalf of the University such other certificates, documents and instruments as are necessary in connection with the acts authorized by this Resolution.

Section 10. Open Meeting Determination. It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action were in meetings open to the public, In compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 11. Effective Date. This Resolution shall take effect and be in force immediately upon its adoption.

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 B OF THE OHIO STATE UNIVERSITY**

Resolution No. 2000-71

Synopsis: Providing for the authorization, issuance and sale of Variable Rate Demand General Receipts Bonds (the "Series 1999 B Bonds"), in a principal amount determined as provided herein, for the purposes of (A) the acquisition, construction and installation of the Series 1999 Project, as defined herein; (B) currently refunding the outstanding principal amount of certain Prior Obligations (as defined herein); and (C) paying costs and expenses associated with the issuance of the 1999 B Bonds.

WHEREAS pursuant to Sections 3345.11 and 3345.12 of the Ohio Revised Code (the "Act"), as enacted under authority of the Constitution of Ohio, particularly Section 2i of Article VIII thereof, The Ohio State University (the "University"), a state university of the State of Ohio (the "State"), created and existing under Chapter 3335 of the Ohio Revised Code, is authorized and empowered, among other things, (a) to issue, as provided herein, Obligations (as defined in the Indenture (as hereinafter defined)) of the University to pay the costs of certain capital facilities defined as "facilities" in the Act (and herein called "University Facilities") and to refund, fund or retire bonds and other obligations previously issued for such purpose; (b) to pledge to the payment of the Obligations all or a specified part of the gross amount of the General Receipts of the University (as defined in the Original Indenture) in priority to all other expenses, claims or payments; (c) to covenant, as herein provided, that the University will make, fix, adjust and collect the fees, rates, rentals, charges and other items comprising General Receipts to produce General Receipts sufficient at all times to meet Debt Service Charges (as defined in the Amended and Restated Trust Indenture described below) on the Obligations, to establish and to maintain the required reserves and meet other requirements herein provided; and (d) to provide for a trust indenture and make further provisions for securing the payment of the Debt Service Charges; and

WHEREAS the University, by resolution adopted by its Board of Trustees (the "Board") on November 1, 1985 (the "Series 1985 A Bond Resolution") and by a Trust Indenture dated as of November 15, 1985 (the "Original Indenture") between the University and The Huntington National Bank, as Trustee (the "Trustee"), has provided for the issuance from time to time of General Receipts Bonds of the University, with each such issue to be authorized by a Series Resolution (as defined in the Original Indenture) adopted by the Board pursuant thereto and secured pursuant to the terms of a Supplemental Indenture (as defined in the Original Indenture) with respect to such issue (the Original Indenture and each indenture supplemental thereto being referred to collectively herein as the "Prior Indenture"); and

WHEREAS the University has heretofore issued pursuant to the Series 1985 A Bond Resolution and the Original Indenture, the \$27,680,000 The Ohio State University General Receipts Refunding Bonds, Series 1985 A, dated as of November 15, 1985 (the "Series 1985 A Bonds") all of which have redeemed and are no longer outstanding; and

WHEREAS the University has heretofore issued pursuant to the Series 1985 A Bond Resolution, the resolution, adopted by the Board on December 6, 1985 (the "Series 1985 B Bond Resolution"), the Original Indenture and the First Supplemental Trust Indenture, dated as of December 1, 1985 (the "First Supplemental Indenture"), between the University and the Trustee, as amended by the Amendment Agreement, dated as of December 1, 1986, between the University and the Trustee, as further amended by the First Supplemental Trust Indenture Amendment Agreement, dated as of March 1, 1988, between the University and the Trustee, the \$42,500,000 The Ohio State University Variable Rate Demand General Receipts Bonds, Series 1985 B, initially dated as of December 30, 1985 (the "Series 1985 B Bonds"), of which amount \$2,800,000 in principal amount is outstanding as of the date hereof; and

WHEREAS the University has issued pursuant to the Series 1985 A Bond Resolution, a resolution adopted by the Board on July 11, 1986 (the "Series 1986 A Bond Resolution"), the Prior Indenture and the Second Supplemental Trust Indenture, dated as of July 15, 1986 (the "Second Supplemental Indenture"), between the University and the Trustee, the \$45,000,000 The Ohio State University General Receipts Bonds, Series 1986 A, dated as of July 15, 1986 (the

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 B OF THE OHIO STATE UNIVERSITY (contd)**

"Series 1986 A Bonds") which have been advance refunded by the Series 1992 A2 Bonds described below; and

WHEREAS the University has heretofore issued pursuant to a resolution adopted by the Board on July 11, 1986 (the "Series 1986 B Bond Resolution"), the Series 1985 A Resolution, the Original Indenture and the Amended Third Supplemental Trust Indenture, dated as of August 1, 1986 (the "Third Supplemental Indenture"), between the University and the Trustee, the \$45,000,000 The Ohio State University Variable Rate Demand General Receipts Bonds, Series 1986 B, initially dated as of August 14, 1986 (the "Series 1986 B Bonds"), of which amount \$27,200,000 is outstanding as of the date hereof; and

WHEREAS the University has issued pursuant to the Series 1985 A Bond Resolution, a resolution adopted by the Board on April 6, 1990 (the "Series 1990 Bond Resolution"), the Prior Indenture and the Fourth Supplemental Trust Indenture, dated as of April 1, 1990 (the "Fourth Supplemental Indenture"), between the University and the Trustee, the \$54,265,000 The Ohio State University General Receipts Bonds, Series 1990, dated as of April 1, 1990 (the "Series 1990 Bonds") which have been advance refunded by the Series 1992 A2 Bonds described below; and

WHEREAS the University has issued pursuant to the Series 1985 A Bond Resolution, the resolution adopted by the Board on September 2, 1992 (the "Series 1992 A Bond Resolution"), the Prior Indenture and the Fifth Supplemental Trust Indenture, dated as of September 1, 1992 (the "Fifth Supplemental Indenture"), between the University and the Trustee, the \$60,520,000 The Ohio State University General Receipts Bonds, Series 1992 A1, and the \$103,800,000 The Ohio State University General Receipts Refunding Bonds, Series 1992 A2 (collectively, the "Series 1992 A Bonds"); and

WHEREAS the University has issued pursuant to the Series 1985 A Bond Resolution, the resolution adopted by the Board on September 2, 1992 (the "Series 1992 B Bond Resolution"), the Prior Indenture and the Sixth Supplemental Trust Indenture, dated as of November 1, 1992 (the "Sixth Supplemental Indenture"), between the University and the Trustee, the \$30,200,000 The Ohio State University General Receipts Bonds, Series 1992 B (the "Series 1992 B Bonds") which have been currently refunded by the Series 1997 Bonds described below; and

WHEREAS the University has issued pursuant to the Series 1985 A Bond Resolution, the resolution adopted by the Board on November 7, 1997 (the "Series 1997 Bond Resolution"), the Prior Indenture and the Seventh Supplemental Trust Indenture, dated as of December 1, 1997 (the "Seventh Supplemental Indenture") between the University and the Trustee, the \$79,540,000 The Ohio State University General Receipts Bonds, Series 1997 (the "Series 1997 Bonds"); and

WHEREAS the University has authorized the issuance pursuant to the Series 1985 A Bond Resolution, the resolution adopted by the Board on July 10, 1998 (the "Series A Commercial Paper Resolution"), the Prior Indenture and the Eighth Supplemental Trust Indenture, dated as of August 1, 1998 (the "Eighth Supplemental Indenture") between the University and the Trustee, \$120,000,000 The Ohio State University General Receipts Commercial Paper Notes, Series A (the "Series A Notes") of which authorized amount \$73,000,000 is issued and outstanding as of the date hereof; and

WHEREAS the University has authorized the issuance pursuant to the Series 1985 A Bond Resolution, the resolution adopted by the Board on June 4, 1999 (the "Series B Commercial Paper Resolution"), the Prior Indenture and the Ninth Supplemental Indenture dated as of June 1, 1999 (the "Ninth Supplemental Indenture") between the University and the Trustee, \$158,700,000 The Ohio State University General Receipts Commercial Paper Notes, Series B (the "Series B Notes" and together with the Series 1986 B Bonds and the Series A Notes, the "Prior Obligations") of which \$38,000,000 is issued and outstanding as of the date hereof; and

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 B OF THE OHIO STATE UNIVERSITY (contd)**

WHEREAS the University has adopted a Resolution of even date herewith (the "Series 1999 A Bond Resolution") authorizing the issuance of \$85,000,000 The Ohio State University General Receipts Bonds, Series 1999 A (the "Series 1999 A Bonds"), the execution, delivery and performance of an Amended and Restated Trust Indenture dated as of December 1, 1999 (the "Amended and Restated Indenture") between the University and the Trustee for the purpose of amending and restating the Original Indenture and the execution, delivery and performance of a First Supplement to Amended and Restated Trust Indenture dated as of December 1, 1999 (the "First Supplement") between the University and the Trustee; and

WHEREAS the Board has determined that it is in the best interests of the University to authorize the issuance of The Ohio State University Variable Rate Demand General Receipts Bonds, Series 1999 B (the "Series 1999 B Bonds") in two series, namely Series 1999 B1 in the principal amount of \$85,000.00 and Series 1999 B2 in the principal amount not to exceed \$25,000,000 for the purpose of paying or reimbursing a portion of the costs of the Series 1999 Project, currently refunding the Prior Obligations and paying costs and expenses associated with the issuance of the Series 1999 B Bonds; and

WHEREAS the University desires to make provisions for the issuance of the Series 1999 B Bonds and for the payment of the Debt Service Charges thereon and the securing thereof by this Resolution and a Second Supplement to the Amended and Restated Trust Indenture (the "Second Supplement" together with the Amended and Restated Trust Indenture, as supplemented and all other indentures supplemental thereto, the "Indenture") herein authorized.

NOW THEREFORE

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE OHIO STATE UNIVERSITY as follows:

Section 1. Definitions and Interpretations. All words and terms defined in the Amended and Restated Indenture and all interpretations therein provided shall have in this Resolution the same meanings, respectively, and be subject to the same interpretations as therein provided or used, unless the context or use clearly indicates another or different meaning or intent. Terms used herein with initial capitalization where not required by the rules of grammar and not defined herein or in the Amended and Restated Indenture shall have the meanings given them in the Second Supplement. Terms not appearing in the Amended and Restated Indenture but used herein and not previously defined herein are defined as follows:

"Certificate of Award" means the Certificate of Award authorized pursuant to Section 3 of this Resolution.

"Code" means the Internal Revenue Code of 1986, as amended, the Treasury Regulations (whether proposed, temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code means that Section, including any applicable successor section or provision and such applicable Treasury Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"Contract of Purchase" means the Contract of Purchase between the Original Purchasers and the University, authorized pursuant to Section 3 hereof.

"Official Statement" means, as to the Series 1999 B Bonds, the Official Statement including, without limitation, the Preliminary Official Statement, relating to the original issuance of the Series 1999 B Bonds, authorized pursuant to Section 3 hereof.

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 B OF THE OHIO STATE UNIVERSITY (contd)**

"Original Purchasers" means, as to the Series 1999 B Bonds, Merrill, Lynch, Pierce, Fenner & Smith, Incorporated and Huntington Capital Corp.

"Paying Agent" means the Paying Agent as defined in the Second Supplement.

"Remarketing Agent" means, with respect to the Series 1999 B1 Series 1999 B Bonds, Merrill Lynch, Pierce, Fenner & Smith Incorporated, and with respect to the Series 1999 B2 Series 1999 B Bonds, Huntington Capital Corp., or any other investment banking firm which may at any time be substituted in place of either of them as provided in Section 5.20 of the Indenture.

"Series 1999 B Bond Resolution" or "this Resolution" as used herein, means this Resolution and the Certificate of Award, as the same may be amended from time to time.

"Series 1999 Project" means, collectively,

- (i) constructing and installing the Keck Genetic Research Facility,
- (ii) constructing and installing the Astronomical Instrumentation Center,
- (iii) constructing and installing infrastructure improvements, including: the extension of chilled water lines to Baker System, Coldwell Laboratory and the Journalism Building; replacement of steam lines from the McCracken Power Plant to the vicinity of St. John Arena; construction of a storm water detention area and storm sewers near Buckeye Village; the extension of Fyffe Road from Hess Road North to Ackerman Road, replacement of a steam boiler and extension of chilled water lines and steam lines from the McCracken Power Plant, construction of new walkways and landscaping and storm water improvements at Neil Avenue and 19th Avenue, the extension of Ines Drive to Tuttle Park Place and sidewalks and utilities in connection with the Fisher College of Business,
- (iv) construction of recreation and intramural sports fields,
- (v) construction and installation of the Tuttle Park Place Garage,
- (vi) construction and installation of the Heart and Lung Institute,
- (vii) constructing and installing the Success Center,
- (viii) residence halls improvements including: demolition and construction work at Baker Hall; renovation and improvements at the south high rises; roof replacement for Mack Hall, Old Canfield Hall and Baker Hall; interior upgrades for Neilwood Gables; installation of fiber optics in 18 residence halls; upgrade elevators at Mack Hall and the Rathskeller; upgrade residence hall fire systems; renovation and improvement to various residence hall facilities, including (I) North Commons dining area upgrade, (II) Raney Commons remodeling, (III) renovation of the ASH Scholarship House, (IV) upgrade of the Ohio Union Conference Theater, (V) installation of card readers at residence hall entrances, (VI) renovation of Baker Hall, (VII) renovation of Mack/Canfield Hall, (VIII) South High-rise closet replacement, (IX) Jones Tower elevator modernization and HVAC unit replacement, (X) Scott House HVAC replacement, (XI) Lincoln Tower elevator modernization and (XII) Morrison Tower chiller replacement,
- (ix) renovations to Ohio Stadium,

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 B OF THE OHIO STATE UNIVERSITY (contd)**

- (x) reimbursement of the costs of acquisition of a health care facility formerly known as Park Medical Center,
- (xi) paying a portion of the costs of construction and installation of six building complex for the Fisher College of Business,
- (xii) financing the acquisition of real property in connection with campus area redevelopment,
- (xiii) constructing and installing a facility to house the Food Science Technology Program, each of (i) through (xviii) constituting a Component (as defined in Section 5 of this Resolution) and a University Facility.

"Series 1999 Project Account" means the Series 1999 Project Account held by the University and created in Section 5 hereof to be funded in part with the proceeds of the Series 1999 B Bonds.

Any reference herein to the University, the Board, or to any members or officers thereof or to other public boards, commissions, departments, institutions, agencies, bodies, entities or officers, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions. Any reference to a section or provision of the Ohio Revised Code or to the laws of Ohio shall include such section or provision and such laws as from time to time amended, modified, revised, supplemented, or superseded, provided that no such amendment, modification, revision, supplementation, or supersession shall alter the obligation to pay the Debt Service Charges in the amount and manner, at the times, and from the sources provided in this Resolution, the Amended and Restated Trust Indenture and the First Supplement, except as otherwise herein permitted.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "herein," "hereby," "hereto," "hereunder," and similar terms, mean this Resolution.

Section 2. Authorization; Terms; Pledge; and Covenant.

(a) Authorization. The Series 1999 B Bonds shall be comprised of the Series 1999 B1 Bonds and the Series 1999 B2 Bonds and shall be collectively designated and known as "The Ohio State University Variable Rate Demand General Receipts Bonds, Series 1999 B" and shall be issued pursuant to and as authorized by the Act, Section 2i of Article VIII of the Ohio Constitution, this Resolution, the Amended and Restated Trust Indenture and the Second Supplement. The Series 1999 B Bonds shall be issued for the purposes of financing a portion of the costs of the University Facilities comprising the Series 1999 Project, currently refunding the Prior Obligations and paying costs and expenses incidental to the issuance of the Series 1999 B Bonds.

(b) Form and Numbering. The Series 1999 B Bonds shall be issued only as fully registered bonds. The Series 1999 B Bonds shall be numbered as determined by the Trustee which will distinguish each Series 1999 B1 Bond from each other Series 1999 B1 Bond and each Series 1999 B2 Bond from each other Series 1999 B2 Bond.

(c) Denominations and Dates. The Series 1999 B Bonds shall be issuable in denominations of \$100,000 and integral multiples thereof and shall be dated as of their date of first delivery and authentication.

(d) Principal Amount. The Series 1999 B Bonds shall be issued in the principal amount specified in the Certificate of Award, which amount shall not exceed \$110,000,000.

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 B OF THE OHIO STATE UNIVERSITY (contd)**

(e) Delivery and Execution. The Treasurer is hereby authorized to make the necessary arrangements with the Original Purchasers to establish the date, location, procedures and conditions for the delivery of the Series 1999 B Bonds to the Original Purchasers and to take all steps as necessary to effect due execution, authentication, sale and delivery of the Series 1999 B Bonds to the Original Purchasers under the terms of this Resolution. The Series 1999 B Bonds shall be signed by the Chairman of the Board (the "Chairman") and the Treasurer in their official capacities (provided that both of the signatures may be facsimiles) and shall bear the corporate seal of the University or a facsimile thereof.

(f) Interest and Maturities.

(i) The Series 1999 B Bonds shall bear interest at a variable rate in any number of Modes determined pursuant to the Second Supplement. The University may also convert the interest rate on all or a portion of the Series 1999 B Bonds to Fixed Rates. The interest rate on the Series 1999 B Bonds shall at no time exceed the Maximum Interest Rate. Interest shall be payable on each Interest Payment Date.

(ii) The Series 1999 B Bonds shall mature not later than December 1, 2029 and in such annual amount or amounts as are provided for in the Certificate of Award.

(g) Security. As provided in the Amended and Restated Trust Indenture as supplemented by the Second Supplement, there is hereby pledged to the security of the Series 1999 B Bonds and for the payment of the Debt Service Charges on the Series 1999 B Bonds, (i) the gross amount of General Receipts of the University (subject to the provisions for the partial release of a pledge of General Receipts contained in Section 4.11 of the Original Indenture) and (ii) the monies contained in the Special Funds. Anything else to the contrary in the Indenture or this Resolution notwithstanding, the Series 1999 B Bonds shall not have access to, any claim upon or be secured by the Series 1999 Project Account.

The pledge of General Receipts in the immediately preceding paragraph shall be on a parity with expenses, claims and payments relating to other Parity Obligations and in priority to all other expenses, claims and payments of the University. In accordance with the Act, all General Receipts or portions thereof are immediately subject to the lien of the pledge upon receipt thereof by the University. Furthermore, the Pledge contained herein and the Amended and Restated Indenture is not in derogation of the pledge contained in the Original Indenture, the Prior Indenture, any Series Resolution adopted pursuant to the Original Resolution or any Bond proceedings with respect to any Obligations currently outstanding, it being the intention of the University that all such Obligations outstanding upon the execution and delivery of the Amended and Restated Trust Indenture shall be Parity Obligations within the meaning of the Amended and Restated Trust Indenture, equally and ratably secured by the pledge of General Receipts of the University herein and therein contained.

For the further security of the Series 1999 B Bonds, and any other Obligations, the University hereby covenants with the bondholders and the Trustee that so long as any Series 1999 B Bonds or Obligations are outstanding, the University shall fix, make, adjust and collect fees, rates, rentals, charges, and other items of General Receipts, as will produce at all times General Receipts sufficient (i) to pay Debt Service Charges when due, (ii) together with other monies lawfully available therefor, to pay all costs and expenses required to be paid under the Bond proceedings, and (iii) together with other monies lawfully available therefor, to pay all other costs and expenses necessary for the proper maintenance and successful and continuous operation of the University.

(h) Payment, Places of Payment and Paying Agents. The principal of and any redemption premium on any Series 1999 B Bond when due shall be payable to the registered holder upon presentation and surrender thereof at the principal corporate trust office of the Trustee or any duly authorized Paying Agent. Interest on Series 1999 B Bonds shall be payable

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 B OF THE OHIO STATE UNIVERSITY (contd)**

by check or draft mailed by the Trustee as provided in the Indenture; provided, however, that interest on Series 1999 B Bonds aggregating \$1,000,000 or more in principal amount registered in the name of a single holder shall be paid by wire transfer in immediately available funds to such account, if any, as such holder directs in writing to the Trustee at least ten (10) days prior to any Interest Payment Date, such payment by wire transfer pursuant to that direction continuing in effect as to subsequent Interest Payment Dates until such time as the holder notifies the Trustee to the contrary or until such time as such holder ceases to be a holder of the requisite principal amount of Series 1999 B Bonds.

(i) Book Entry. Subject to the provisions of the immediately following paragraph, the Series 1999 B Bonds shall be issued only to a Depository for holding in a Book Entry System. Those Series 1999 B Bonds shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; and shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the University. Each maturity of the Series 1999 B Bonds shall be evidenced by a single certificate in the aggregate principal amount of the Series 1999 B Bonds maturing on each such maturity date.

If any Depository determines not to continue to act as a Depository for the Series 1999 B Bonds for holding in a Book Entry System, the University may attempt to have established a securities depository/Book Entry System relationship with another qualified Depository. If the University does not or is unable to do so, the University, after making provision for notification of the owners of book entry interests by appropriate notice to the then Depository and any other arrangements it deems necessary, shall permit the withdrawal of the Series 1999 B Bonds from the Depository, and authenticate and deliver the Series 1999 B Bond certificates, in fully registered form to the assigns of the Depository or its nominee (if such Bond was held by a nominee), all at the cost and expense (including costs of printing or otherwise preparing and delivering replacement Series 1999 B Bonds) of the University. Series 1999 B Bond certificates authenticated and delivered pursuant to this paragraph shall be in the denomination of \$5,000 or any integral multiple thereof.

(j) Tender and Purchase. The Series 199 B Bonds will be subject to tender by the Holders thereof and also subject to purchase, including mandatory purchase, by the University in accordance with the terms of the Second Supplement.

(k) Appointment of Remarketing Agent. The Board hereby appoints Merrill Lynch, Pierce, Fenner & Smith Incorporated with respect to the Series 1999 B1 Bonds and with respect to the Series 1999 B2 Bonds, Huntington Capital Corp.

Section 3. Contract of Purchase; Certificate of Award; Official Statement; Continuing Disclosure Agreement and Remarketing Agreements. The Series 1999 B Bonds are sold and awarded to the Original Purchasers in accordance with the Contract of Purchase at the purchase price provided in the Certificate of Award. The form of Contract of Purchase now on file with the Secretary of the Board is hereby approved, together with any changes therein and completions thereof which are not inconsistent with this Resolution and not substantially adverse to the University, and as are permitted by the Act and approved on behalf of the University by the Chairman or the Treasurer. The approval on behalf of the University of those changes and completions by the Chairman or the Treasurer, and the status of those changes as not substantially adverse to the University, shall be conclusively evidenced by the execution of the Contract of Purchase on behalf of the University by the Chairman or the Treasurer. It is determined hereby that the purchase price and the manner of sale and the terms of the Series 1999 B Bonds, as provided in this Resolution and the Contract of Purchase are consistent with all legal requirements and will carry out the public purposes of the Act.

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 B OF THE OHIO STATE UNIVERSITY (contd)**

The sale and award of the Series 1999 B Bonds shall be further evidenced by the Certificate of Award. The Certificate of Award is hereby authorized and shall be executed by the Chairman or the Treasurer. The Certificate of Award shall state or confirm the aggregate principal amount of the Series 1999 B Bonds, the purchase price of such Bonds, the interest rate or rates with respect to each maturity of such Bonds, the annual principal amount or amounts of such Bonds becoming due, the maturity dates and the optional redemption provisions, all as determined in accordance with the provisions of this Resolution and the Contract of Purchase, and all of which shall be conclusively evidenced by the execution of the Certificate of Award. The Certificate of Award shall also contain such other dates or provisions as the Chairman or the Treasurer determines are appropriate or necessary, and as are consistent with this Resolution, the Indenture, the Second Supplement and the Contract of Purchase.

The use and distribution of the Preliminary Official Statement and the Official Statement relating to the Series 1999 B Bonds by the Original Purchasers is hereby approved, authorized and ratified. The Preliminary Official Statement is deemed final by the University for purposes of Securities Exchange Commission Rule 15c2-1 2 except for such omissions therefrom as may be permitted by such Rule. The Official Statement, substantially in the form of the Preliminary Official Statement now on file with the Secretary of the Board, shall be executed by the Chairman and the Treasurer or either of them, each in his official capacity on behalf of the University with any modifications, changes and supplements necessary or desirable for the purposes thereof which the Chairman or the Treasurer shall approve. The Board has not confirmed, and assumes no responsibility for, the accuracy, sufficiency or fairness of the statements in the Preliminary Official Statement or the final Official Statement under the caption "UNDERWRITING."

The execution, delivery and performance of the Continuing Disclosure Agreement dated as of December 1, 1999 (the "Continuing Disclosure Agreement") between the University and the Trustee in the form now on file with the Secretary of the Board is hereby authorized and approved, together with any changes therein which are not substantially adverse to the University. The Chairman and the Treasurer, or either of them is each authorized to execute the Continuing Disclosure Agreement and such execution by either or both of them shall be conclusive evidence that such changes are not substantially adverse to the University.

The execution, delivery and performance of separate Remarketing Agreements dated as of December 1, 1999 (each a "Remarketing Agreement") between the University and each Remarketing Agent in the forms now on file with the Secretary of the Board is hereby authorized and approved, together with any changes therein which are not substantially adverse to the University. The Chairman and the Treasurer, or either of them is each authorized to execute each Remarketing Agreement and such execution by either or both of them shall be conclusive evidence that such changes are not substantially adverse to the University.

Section 4. Allocation of Proceeds. The proceeds from the sale of the Series 1999 B Bonds, including any accrued interest, shall be allocated, deposited and applied as follows:

- (i) To the Debt Service Fund, accrued interest received on the sale of the Series 1999 B Bonds;
- (ii) To the Series 1999 Project Account, created pursuant to Section 5 of this Resolution, the amount of the proceeds of the Series 1999 B Bonds as specified in the Certificate of Award, to be applied to the purposes of that Fund, including transfers from that Fund authorized by the Act and to pay costs and expenses associated with the issuance of the Series 1999 B Bonds; and
- (iii) To the Debt Service Fund, the amount of the proceeds of the Series 1999 B Bonds as specified in the Certificate of Award for the purpose of currently redeeming the Prior Obligations on the next available redemption date.

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 B OF THE OHIO STATE UNIVERSITY (contd)**

Section 5. Series 1999 Project Account. There is hereby created by the University an account in the Facilities Fund to be maintained in the custody of the Treasurer and designated the "Series 1999 Project Account." The Series 1999 Project Account shall be funded in part from the proceeds of the sale of the Series 1999 B Bonds. Such proceeds shall be used for the payment or reimbursement of a portion of the costs and expenses relating to the Series 1999 Project, and costs and expenses associated with the issuance of the Series 1999 B Bonds. The Series 1999 Project Account shall not constitute a Special Fund and shall not be pledged to the payment of Debt Service Charges.

Moneys held in the Series 1999 Project Account, including all investment earnings thereon, pending disbursement from the Series 1999 Project Account shall be invested in Authorized Investments specified in Section VIII of the Non-Endowment Investments Policy of the University attached hereto as Exhibit A, as the same may be amended from time to time. If the proceeds of the Series 1999 B Bonds remain unspent upon the issuance of any Obligations to fund costs of the Series 1999 Project, the University shall establish separate accounts and subaccounts, for accounting purposes, for the deposit of the proceeds of such Obligations in accordance with the provisions of this Section 5.

The Treasurer shall maintain such books and records with respect to disbursements from the Series 1999 Project Account so as to enable the Treasurer to determine the name of any payee of any such disbursement, the date on which such disbursement occurred, the amount of such disbursement and the purpose for which such disbursement was made. Investment earnings on the funds on deposit in the Series 1999 Project Account may, at the discretion of the University, be paid to the Trustee for deposit in the Bond Service Account in the Debt Service Fund to be used to pay Debt Service Charges on the Series 1999 B Bonds.

Upon the determination by the Treasurer that the costs incurred in connection with any item listed in Section 1 hereof in the definition of Series 1999 Project (each a "Component") to be paid from the Series 1999 Project Account have been paid in full or provision for such payment has been made, the University may use any remaining moneys on deposit in the Series 1999 Project Account with respect to such Component to fund the costs of other Components or to fund the costs of additional projects constituting University Facilities (each, an "Additional Project"). Monies remaining on deposit in the Series 1999 Project Account after the completion of the Series 1999 Project and any Additional Projects shall be used by the University in any manner which, in the opinion of Bond Counsel, shall be permissible under the Act and the Code.

Section 6. Application of Bond Proceeds. The University covenants that the use of the proceeds of the Series 1999 B Bonds will be restricted in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time of delivery of and payment for the Series 1999 B Bonds, so that the Series 1999 B Bonds will not constitute arbitrage bonds under Sections 103(c) and 148 of the Code. The Treasurer of the University, or any other officer having responsibility with respect to the issuance of the Series 1999 B Bonds, alone or in conjunction with any other officer or employee of or consultant to the University, will give an appropriate certificate of the University for inclusion in the transcript of proceedings for the Series 1999 B Bonds setting forth the reasonable expectations of the University regarding the amount and use of all those proceeds and the facts and estimates on which they are based, all as of the date of original delivery of and payment for the Series 1999 B Bonds.

The University further covenants that it will take all actions required to maintain the exclusion from gross income for purposes of federal income taxation of interest on the Series 1999 B Bonds, and will not take, nor permit to be taken, any actions which would adversely affect such exclusion under the provisions of the Code that apply to the Series 1999 B Bonds; and the Chairman or the Treasurer and other appropriate officers are hereby authorized to take such actions and give such certifications as may be appropriate to assure such exclusion from gross income of interest on the Series 1999 B Bonds.

**AUTHORIZATION, ISSUANCE AND SALE OF
GENERAL RECEIPTS BONDS
SERIES 1999 B OF THE OHIO STATE UNIVERSITY (contd)**

Section 7. Call for Redemption of Prior Obligations. The University hereby determines that each of the Prior Obligations shall be called for optional redemption at the earliest date on which each of them may be redeemed pursuant to the Prior Indenture and that the execution and delivery by the University of the Second Supplement shall constitute the irrevocable direction to the Trustee to send such notices as are required by the Indenture to effect such call for redemption. The execution of the Second Supplement and the acceptance of the estate conveyed thereby by the Trustee shall constitute the receipt by the Trustee of such direction and the agreement by the Trustee to give the aforementioned notices.

Section 8. Second Supplement. In order to better secure the payment of the Debt Service Charges as the same shall become due and payable, the Chairman, the President of the University, the Secretary of the Board and the Treasurer, or any one or more of them, are authorized and directed to execute and deliver to the Trustee, in the name and on behalf of the University and pursuant to the Amended and Restated Indenture, the Second Supplement, in substantially the form submitted to this Board and hereby approved, with such changes therein as are not substantially adverse to the University and as may be permitted by the Act and approved by the officers executing the same on behalf of the University. Execution by the officer or officers of the University shall be conclusive evidence that any such changes are not substantially adverse to the University. The Second Supplement shall also include the forms of the Series 1999 B Bonds. The execution of such document by any of such officers shall conclusively evidence the approval of such officers and the Board and that such changes are not substantially adverse to the University. Such officers are each further authorized to execute and deliver on behalf of the University such other certificates, documents and instruments as are necessary in connection with the acts authorized by this Resolution.

Section 9. Open Meeting Determination. It is found and determined that all formal actions of the Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action were in meetings open to the public, In compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 10. Effective Date. This Resolution shall take effect and be in force immediately upon its adoption.

Upon motion of Mr. Brennan, seconded by Mr. Colley, the Board of Trustees adopted the foregoing resolutions with four affirmative votes cast by Messrs. Colley, Brennan, Sofia, and Slane, and abstentions cast by Messrs. Skestos and Patterson.

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STUDENT RECOGNITION AWARD

Ms. Nowakowski:

Last month, I had the pleasure of recognizing two undergraduate students for their achievements outside the classroom. This month, I am pleased to introduce to you Amanda Wildman and recognize her excellence as a professional student in the College of Veterinary Medicine.

Known to her friends as "A.J.," she received her Bachelor of Arts in theatre arts from Cornell University in May 1995, and expects to graduate in June 2002 from Ohio State. With her degree, A.J. would like to obtain a position in an active and compassionate small animal and/or exotic animal clinic. She has much experience working in pet clinics, serving as a veterinary assistant with responsibilities in surgery and anesthesia, diagnostic laboratory work, radiology, and phlebotomy and medication administration.

STUDENT RECOGNITION AWARD (contd)

Ms. Nowakowski: (contd)

Last year, she was awarded the Herman Meyer Veterinary Anatomy Scholarship from the College of Veterinary Medicine's Department of Cell Biology and Anatomy. A.J. is also secretary of the Interprofessional Council and spends countless hours serving the needs of the nearly 3,000 professional students at Ohio State.

She is known to her peers as an exuberant individual, whose laughter is immediately recognizable. She is a passionate leader who frequently encourages her fellow students to incorporate service-related activities as part of their education. A.J. balances her professional development with her husband Anjel, who is an instructor in architecture at OSU, and her cats and dogs, Teddy, Sid, Mona, and Alex.

Please join President Kirwan, Dean Hoffsis, Associate Dean Fenner, and me in congratulating A.J. Wildman.

Ms. Amanda Wildman:

I'm very appreciative of the fact that the Board takes time to recognize student contributions to this University. For me, it's definitely been a family effort. Coming to Columbus, was a big change for my husband and me, since we both grew up on the East Coast and being at Cornell for four years. We have really made Ohio State a home. My husband teaches second-year architecture, in addition to being able to contribute to the community of Columbus, as a whole, through his work as an architect.

I'm very pleased that the Board honored me in this way and very surprised. I hope, that as I finish my education here, that we can contribute to this community even more.

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STUDENT GOVERNMENT REPORTS

Mr. Eric Ley:

President Kirwan, Chairman Colley, and the Board of Trustees, I present to you the updates from the three student governments at The Ohio State University.

USG has spent much time lately discussing the proposed technology fee. They have concluded that the current version needs to be reworked to answer multiple questions and especially to explain how specific students will benefit from the proposed fee.

In conjunction with IPC, USG has been working to match prospective professional students with current professional students for purposes of mentoring. In cooperation with the Office of Financial Aid, USG is assisting in establishing an online scholarship directory so students can more easily find out about potential scholarships.

USG is currently working with the Safety and Escort Service to expand its services to students. Specifically, the service will begin escorting students from off-campus to off-campus locations and another van will be added to their fleet.

STUDENT GOVERNMENT REPORTS (contd)

Mr. Ley: (contd)

Finally, USG would like to thank and congratulate the Office of Student Affairs for putting on a great Homecoming Week. Specifically, USG recognizes the student chairs, Rob Siston, Gilda Mossadegh, and Heather Brandon for their hard work.

The Council of Graduate Students had an exciting and productive October. They passed two resolutions, which are of importance to graduate students. The first is the CGS annual goals and priorities. At the last Board meeting, they highlighted nine goals and will transmit to the Board the goals and priorities which include a number of very specific recommendations.

One of the major goals for CGS this year is to investigate graduate student compensation and benefits. One of the most important benefits is health insurance benefits. Due to the strong passion that graduate students have on the domestic partners issue, CGS has passed a resolution concerning health insurance, which again calls for domestic partner coverage. They look forward to discussing this issue with the Board in the future and will transmit this resolution to the Board office.

In other news, CGS worked with USG on the Mount Scholars project to start a student safety initiative in the University district. Last night, 40 students and 30 Columbus police officers handed out crime prevention information for 5,000 households. They look forward to continuing these partnerships and work on other ways to have students begin to take more responsibility for their safety and the quality of life in the University area.

The Interprofessional Council bids farewell to long time student advocate, Dr. Tzagournis, who is stepping down from his position as Vice President for Health Sciences. Dr. Tzagournis plays an active role in student organizations and was instrumental in the development of the I-QUE survey. Early in the planning, he pledged to help with any resources necessary. Our only solace is to know that Dr. Tzagournis will continue to pursue his primary passion -- teaching -- and generations of future physicians will be affected by his instruction.

The results of the I-QUE survey, presented earlier today in the Educational/Student Affairs Committee meeting, indicated many areas for the professional colleges to address and improve. I-QUE committees at each of the professional colleges will begin to work on the I-QUE report, which will suggest to the University how to improve the colleges. IPC hopes to present this report to the Board next spring. Please visit our web page for updates on the progress of the I-QUE project.

On Friday, October 29, the third annual IPC Halloween Bash took place at the Newport Theatre. More than 1,500 goblins, ghosts, and other guests participated in this event. Numerically, greater than 50 percent of the professional student population attended and \$6,000 was raised for the Professional Student Development Fund, which will aid professional students with developing areas of personal interest.

That concludes my remarks.

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November 5, 1999 meeting, Board of Trustees

Thereupon the Board adjourned to meet Friday, December 3, 1999, at The Ohio State University Longaberger Alumni House, Columbus, Ohio.

Attest:

William J. Napier
Secretary

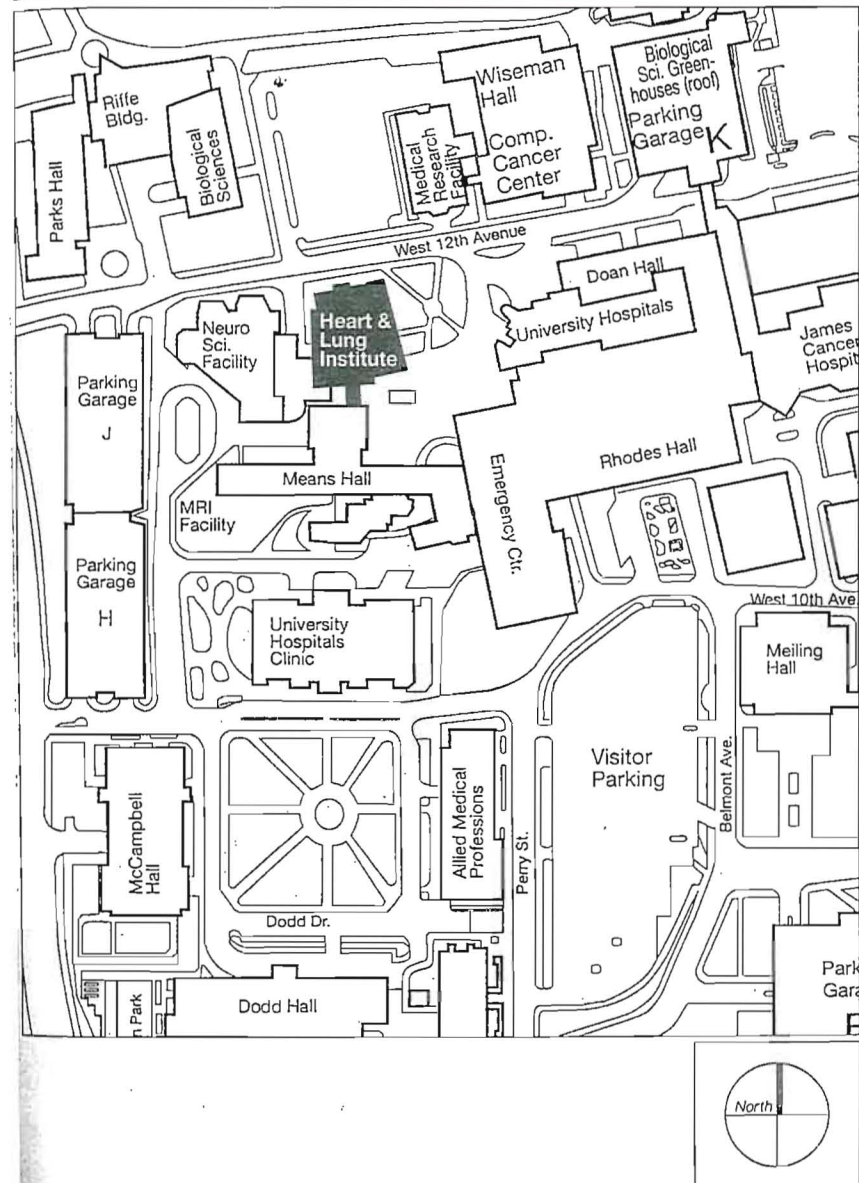
Michael F. Colley
Chairman

(APPENDIX XV)

<u>Category</u>	<u>Total</u>	<u>Sole Source</u>	<u>Emergency</u>	<u>Reason</u>				
Hospitals East	\$1,568,859	2	\$1,471,359	1	\$0	0	\$97,500	1
Hospitals - Professional Health Care Services	\$7,596,120	10	\$100,000	1	\$0	0	\$7,496,120	10
Hospitals - Equipment and Services	\$3,845,016	25	\$2,718,001	15	\$389,035	4	\$737,980	6
Instructional and Research Equipment and Services	\$1,838,294	16	\$1,259,296	9	\$52,400	1	\$526,598	6
Administrative Support Equipment and Services	\$10,786,977	36	\$2,112,300	20	\$388,785	5	\$8,285,892	11
TOTAL	\$25,635,266	90	\$7,660,956	46	\$830,220	10	\$17,144,090	34

(APPENDIX XV)

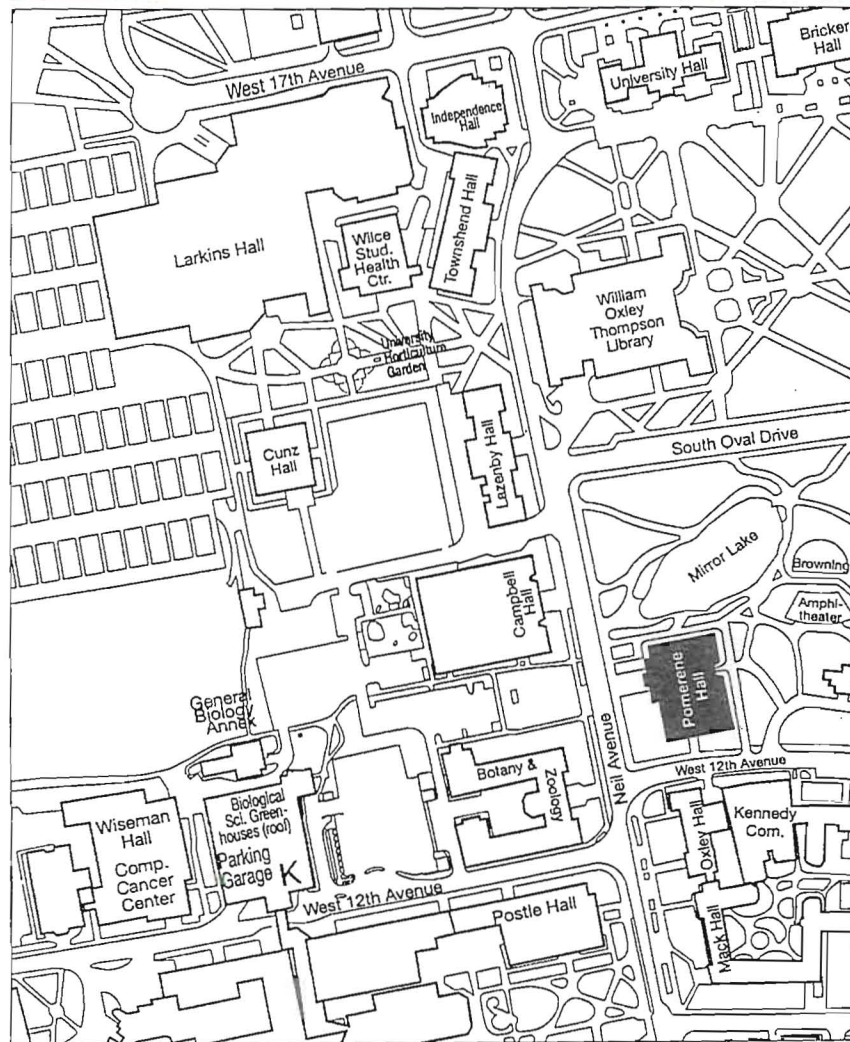
Heart / Lung Institute - ULAR



Office of Business and Finance
Office of the University Architect and Physical Planning

October 18, 1999

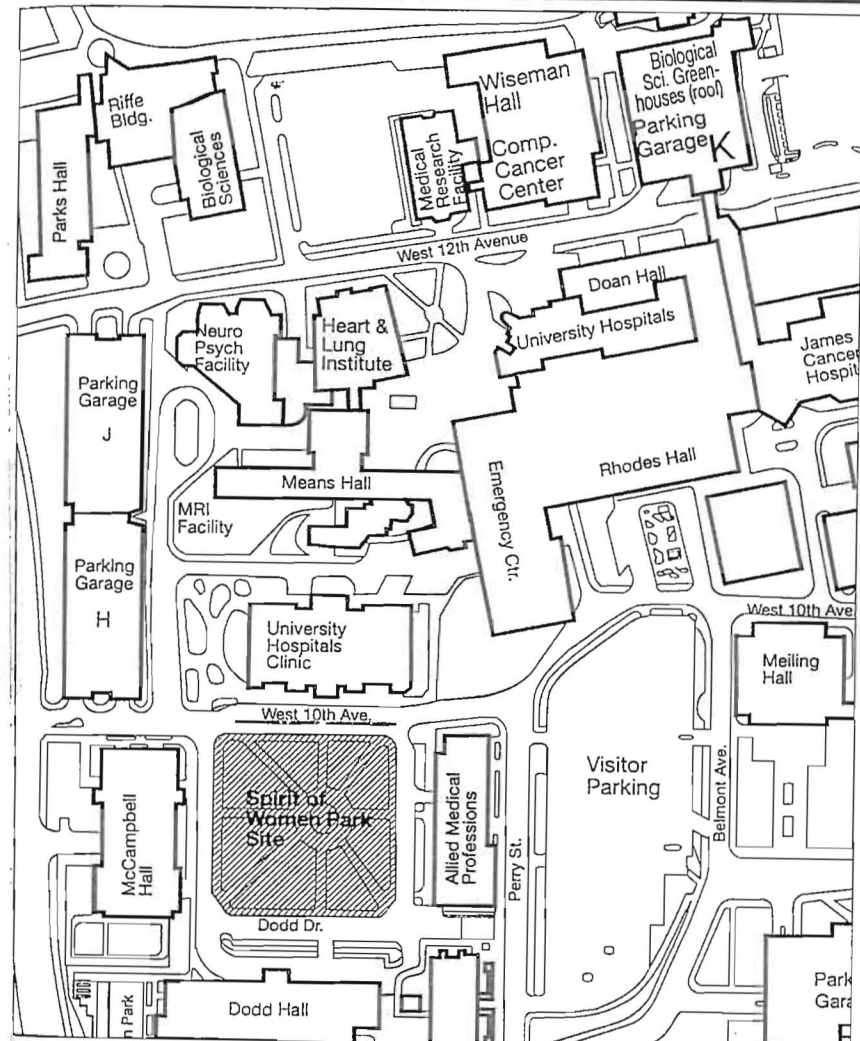
Pomerene Hall Renovation



Office of Business and Finance
Office of the University Architect and Physical Planning

October 18, 1999

Spirit of Women Park



Office of Business and Finance
Office of the University Architect and Physical Planning

October 18, 1999

Wexner Center for the Arts Collection Policy

Mission Statement

The Wexner Center for the Arts is The Ohio State University's multidisciplinary, international laboratory for the exploration and advancement of contemporary art.

Through exhibitions, screenings, performances, artist residencies, and educational programs, the Wexner Center acts as a forum where established and emerging artists can test ideas and where diverse audiences can participate in cultural experiences that enhance understanding of the art of our time.

In its programs, the Wexner Center balances a commitment to experimentation with a commitment to traditions of innovation and affirms the university's mission of education, research, and community service.

History and Description of the Collection

When the Wexner Center for the Arts opened in 1989, it essentially subsumed and expanded upon its predecessor, the University Gallery of Fine Arts at The Ohio State University. As part of this institutional evolution, the Wexner Center assumed possession and stewardship of the University Gallery's permanent collection of art works, then consisting of some 3,000 works of art. The University Gallery's collection had developed over many decades and reflected the widely differing interests and priorities of faculty, successive Gallery directors, and University development personnel and donors, most of whom were Ohio State University faculty and alumni. The growth of the collection over those years can be described as sporadic, with no clearly defined collection policy to guide decision-makers.

For the purposes of collection management, the Wexner Center has categorized the collection into two major designations, Primary and Non-Primary. The Primary designation includes 20th-century Western objects in all media, with a special concentration in art of the 1960s and 1970s, especially those objects highlighting Conceptualism, Minimalism, and Post-Minimalism. The Non-Primary designation includes pre-1900 graphic art and photography, non-Western objects, and works by faculty and students.

As presently constituted, the collection serves a secondary role in the Center's programs in the visual, media, and performing arts. While it is made available to University students and scholars for study, and occasionally drawn upon for exhibitions at the Center or elsewhere, it is largely dormant. However, the Center remains fully committed to its professional stewardship of these objects, ensuring

their proper care and safekeeping in accordance with established museum standards.

Within its overall mission, the Center further recognizes that, from time to time, opportunities may arise for propitious acquisition of a work of art through gift, purchase, or commission. The latter is especially relevant to the Center's ambitious residency program, through which the Center participates in the production of new work in all media. Thus, even while not pursuing an aggressive acquisitions program, the Center may, on occasion, elect to add a work of art to its collection on a case-by-case basis.

Collection Policy and Procedures

Introduction

The policies and procedures outlined in this document follow the standards established by the Association of Art Museum Directors Professional Practices in Art Museums (1992), and also comply with the Wexner Center's approved Ethics Policy (attached here for reference).

The Wexner Center Collection Policy has been formulated by the professional staff and approved by the Wexner Center Foundation Board and The Ohio State University Board of Trustees. The Wexner Center Director oversees all collection matters and ensures compliance with all policies; curators and other applicable Center staff are expected to adhere to these policies and procedures at all times.

This policy governs only those transactions pertaining to the Wexner Center collection, and not the collecting activities of the University at large. The Wexner Center collection is considered to be but one of many arts-related collections and archives at The Ohio State University, which include the holdings of the Lawrence and Lee Theater Research Institute (housing the Twyla Tharp Archives); the Cartoon, Graphic and Photographic Arts Research Library; and the Historic Costume and Textiles collection; as well as public art projects and a variety of specialized archives/collections located in and around campus buildings.

Acquisition

There are two steps through which an object may be entered into the possession of the Wexner Center: 1) acquisition (through purchase, gift, bequest, trade, or other transaction) and 2) accession (formal acceptance and classification of the work as part of the collection). The acceptance of any gift of art by The Ohio State University does not automatically provide that it will be accessioned into the collection of the Wexner Center. Rather, the Wexner Center Foundation Board will make such determinations following recommendation by its Director.

The following policies and procedures will govern all acquisition and accession transactions of the Wexner Center:

Policies

1. The Center may acquire works of art in a variety of ways: through purchase, exchange, gift, commission, combination of gift and purchase, or any other method that transfers title to the Wexner Center. No work of art shall be acquired by the Wexner Center for its collection, without the express approval of the Wexner Center Foundation Board. "Work of art" includes, but is not limited to individual objects such as paintings and sculptures, as well as multi-media installations, film, video and new media projects.

2. A work may be acquired through the exchange of objects of comparable quality and value from other public institutions or individuals. Exchange requires compliance with the processes of deaccession of the exchanged object, as outlined in this policy.

3. The Center is prepared to accept title to works that may not be physically housed at the Center. The fact that an object cannot be placed on exhibition at the Center shall not preclude the Board's consideration of the work as a potential acquisition.

4. The Wexner Center will not acquire knowingly or allow to be recommended for acquisition any object that has been stolen, removed from foreign countries in contravention of treaties and international conventions to which the United States is signatory, or illegally imported into the United States.

5. Private collecting of works of art by the Director, the staff, and other personnel employed by the Center ("the staff") is an appropriate activity and may enhance expertise. However, no collecting by such persons can be allowed if, in fact or appearance, it conflicts with the interests of the University or the Center and its collecting programs. Because the possibility of conflict exists, the issue should be openly discussed by all those involved (see Ethics Policy). Extraordinary caution is required to assure that no conflict of interest arises between a staff member's collecting activity and the concerns of the University or the Center. If such an occasion should arise, it must be resolved by granting the University, the Center, or the Center's Foundation (whichever is appropriate) the first option to acquire the work or works of art in question. If the University or the Foundation declines to exercise its option, the staff member may proceed to acquire the work or works.

6. No member of the staff shall give any certificate or statement as to the authenticity or authorship of a work of art, or any statement of the monetary value of a work of art, except when authorized by the Center's Director or its Director of Exhibitions in accordance with the purposes of the Center.

Procedures

1. Only the Center's Director, after consultation with staff and other professionals, may make recommendations to the Wexner Center Foundation

Board regarding the acquisition and accession of works of art for the collection, whether by purchase, gift, bequest, exchange, or commission.

2. Whenever possible, the actual works proposed for accession will be viewed by the Wexner Center Foundation Board at its meetings.

3. Works held at the Center for consideration of acceptance into the collection will be insured by the Center while on the premises.

4. The Wexner Center Foundation Board will determine on a case-by-case basis whether to present to The Ohio State University Board of Trustees its recommendations for acquisitions. Those works recommended to The Ohio State University Board of Trustees will be presented in the form of slides or, when possible, the actual works of art will be shown. Purchases up to \$500,000 will require only the approval of the Wexner Center Foundation Board. Purchases exceeding \$500,000 must be approved by action of The Ohio State University Board of Trustees on the recommendation of the Wexner Center Foundation Board. All such purchases shall be made from Wexner Center or Wexner Center Foundation funds, from funds budgeted for said purpose.

5. The Center will not seek or accept deeds of gift until after the Wexner Center Foundation Board (or the OSU Board of Trustees when applicable) has approved acceptance of the work. Thereafter, the gift will be recorded and recognized as a gift to The Ohio State University/Wexner Center through a Deed of Gift executed by the donor(s) and by both the Center's and the University's development offices. The donor shall be encouraged to obtain a fair market value appraisal of the work of art from a registered appraiser familiar with the field of art in question, in accordance with applicable tax law. The donor will also be asked to provide a copy of any existing appraisal of the work. Upon receipt of the signed deed, the Center will take possession of the work.

6. All appraisals will be used strictly for internal accounting and insurance purposes. The initial value shown on the books and records of the Center for all acquisitions, other than those made through purchase by the Wexner Center, shall be at \$1 until the Wexner Center is able to acquire an independent appraisal, at which time the appropriate value will be entered on the Wexner Center's records. The value shown for purchases shall be the Wexner Center's actual purchase price for the work. For insurance purposes, particularly when works are loaned to other institutions, the collections records should indicate the fair market value of the work, which will be updated from time to time. Center staff will not cite such values to the donor, nor will the donor's estimated value be in any manner confirmed or otherwise commented upon by Center personnel, except as required by applicable tax law.

7. If at any time during the year when a decision regarding an intended contribution of art must be made within a short time period, the Executive Committee of the Wexner Center Foundation Board may make the final decision; and if it is not possible to convene a quorum of the Executive Committee of the Wexner Center Foundation Board, the Director will consult with the Chairman or the President of the Wexner Center Foundation Board to select an alternate process, such as telephone poll or decision by the Director in place of the process. Further, under these circumstances, if the Director cannot adequately establish timely communication with the Chairman or the President, he/she may proceed to make such a determination on behalf of the Center after appropriate consultation with the Executive Vice President and Provost of the University and/or the President of the University.

8. In accessioning partial gifts, an accession number will be assigned upon receipt of the first fractional deed of gift, even though the Center's share may be small. Fractional interests will be conveyed by a duly acknowledged deed or equivalent document, and each additional fraction will be given by a new deed or equivalent. It is recommended that the donor be encouraged to execute a non-cancelable bequest by will or trust to the Center of any remaining fraction owned by the donor at the time of death. The Center will be responsible for insurance on its partial interest in any such work of art.

9. No work of art will be accepted if the donor places restrictions as to presentation, description, attribution, or usage of the work. Transfer of copyright and the right to reproduce the work should be obtained from the artist or other donor when possible.

Deaccession

Deaccession is the removal of an object from the collection through sale, exchange, or transfer.

Policies

1. Deaccession and disposal of works of art from the collection by sale, exchange, or other means requires rigorous examination and should be pursued with great caution. Although there are circumstances in which disposal of works of art can contribute to the strengthening of the collection, such disposal must be related to the Center's written policy, avoiding exigencies of the moment. University art collections are held in the public trust, and should not be dissipated to benefit other goals of the Center or its Foundation, however worthy. The Center will approach the matter of deaccession with circumspection, applying standards at least as rigorous as those guarding the acceptance of work.

2. There are a number of reasons why deaccession and disposal might be contemplated. Primary among these are:

- a. The object is of poor quality, either intrinsically or relatively, in comparison with other objects of the same type in the collection. Items of modest quality, however, may have sufficient study value to warrant retention.
- b. The object is redundant or is a duplicate that has no value as part of a series.
- c. The Center's possession of the item is not legitimate, i.e., the work may have been stolen or illegally exported or imported in violation of applicable state and federal laws.
- d. The authenticity, attribution, or genuineness of the object is determined to be false or fraudulent and the object lacks sufficient aesthetic merit or art historical importance to warrant retention. A forgery should be so marked indelibly as such and shall never be returned to the market.
- e. The physical condition of the object is so poor that restoration is impossible or will render the object essentially false. Objects damaged beyond reasonable repair that are not of use for study or teaching purposes may be destroyed, with Board approval.

3. Any binding conditions that have been placed on the work requiring continued possession or imposing limitations on deaccession will be strictly observed. Non-binding conditions will be observed if consistent with the Center's objectives. Counsel will be consulted in all potential deaccession cases to ensure compliance with whatever legal conditions have been imposed by the donor and to advise the Center as to the appropriate legal steps to be taken. Efforts will be made to notify a living donor of plans to deaccession a work of art given by that donor.

4. The Center will not dispose of accessioned works of art in order to provide funds for purposes other than the acquisition or commission of works of art for the collection. All proceeds from the deaccession of art will be applied exclusively to either the acquisition or commission of new works of art consistent with the Center's programmatic mission. The Center will ordinarily not deaccession the work of a living artist except to make possible the purchase of a superior work by the same artist.

Procedures

1. Only the Center's Director, following consultation with staff and other professionals, may make recommendations to the Wexner Center Foundation Board regarding the deaccession of works of art from the collection.
2. Counsel's opinion regarding the legal aspects of the proposed deaccession will be conveyed to the Wexner Center Foundation Board in writing.
3. An appraisal of the work in question will be obtained from a qualified, independent source.
4. All reasonable attempts will be made to have the work in question available for viewing at the meeting.

5. The Wexner Center Foundation Board will determine whether to pursue the deaccession process by presenting its recommendation to The Ohio State University Board of Trustees.

6. The Ohio State University Board of Trustees must duly authorize any deaccessions recommended to it by the Center's Foundation Board.

7. All appropriate legal notification of the deaccession will be made as determined by counsel.

8. The following preferred sequence will be pursued in the deaccession of any works by the Center in its collection:

- a. through public auction (with or without private, sealed bids)
- b. through dealers (with sealed bids)
- c. through private exchange
- d. through private sale

In accordance with the Center's Ethics Policy, no employee or Trustee of the University or the Wexner Center or the Wexner Center Foundation may purchase an object being deaccessioned from the Center's collection.

9. From time to time it may be appropriate to transfer the custodianship of works of art that are in the collection of the Wexner Center to other departments or colleges of The Ohio State University. If a written request is received to transfer a work or works of art from the Center's collection to other departments or colleges of the University, the same procedures as put forth above for the deaccession of works of art shall be observed. The acquiring department or college shall agree in writing to the retention of said work or works, and shall promptly notify the Wexner Center of any subsequent decision to sell or otherwise dispose of said work or works, prior to any such disposition.

C. Changes in Attribution Title, Date, or Medium of Works of Art

1. Correct attribution of works of art is integral to the intellectual integrity of the collection and its use for study by students and scholars. Attribution of works of art is to be maintained, recorded, and kept as up-to-date and accurate as possible. Changes of attribution will be periodically made for several reasons, including: a) substantial weight of scholarly opinion; b) new conservation or other technical findings; and c) discovery of other documented, firmly attributed works that can be clearly related to the object under consideration.

2. A change of attribution will be initiated by the Curator and then submitted, with appropriate comment and supporting materials, to the Director for approval and signature. If the officers concur, and provided such proposed change of attribution is not objected to by, or has the approval of, the

donor(s), and otherwise does not violate the terms of any agreement made by The Ohio State University Board of Trustees with the donor(s) or any other parties; the proposal will be presented to the Foundation Board of Trustees for approval.

3. Report will be made to the Wexner Center Foundation Board of all such changes of attribution. The Director will consult with the Chairman or President of the Foundation Board on proposed changes when the work involved is of major art historical importance and, if the Chairman or President so recommends, the question (will be placed on the agenda of the next meeting) shall be referred to the Foundation Board for decision and be placed on the agenda of the next meeting.

D. Collection Loan Policy and Procedures

Outgoing Loans

1. The Wexner Center shall make available works of art from its collection for loan for specified periods of time to qualified institutions (educational or non-profit organizations) for the purpose of public display or for scholarly endeavors. As a matter of policy, the Center does not lend to commercial art galleries, except in appropriate situations as described below. Loans to commercial art galleries must be approved by the Director. The criteria used by the Director in making the decision will include the following:

- a. the condition of the work and suitability for travel
- b. the scholarly premise of the exhibition
- c. the content and integrity of the exhibition
- d. reproduction of the work in any catalogue to accompany the exhibition
- e. a museum quality presentation and facility requirements
- f. the Borrower assumes all costs related to the loan

2. The Center is committed to loaning artworks to encourage research on and public enjoyment of objects but to avoid use of objects for private gain. Therefore, the Center will not lend works from the collection to private individuals.

3. When a written request to borrow objects from the collection is received, it will be given careful consideration by the Director, Curators, and Registrar. The Registrar will examine the work to determine if it is in proper condition for travel and exhibition. The Registrar will review the facilities of the borrowing institution and make recommendations particularly concerning conservation, security, and environmental controls. The Curator will determine if the loan will conflict with planned in-house exhibition use and if the requested exhibition is of significant and appropriate importance. Based

on the foregoing, the Curator and Registrar will make a joint recommendation to the Director regarding the loan request.

4. The Center requires that the Borrower assume all costs, including handling, framing/matting, crate construction, packing, necessary conservation, transportation, courier expenses, a loan fee, and any other labor costs incurred by the loan. All prints and drawings must be matted and framed for travel and exhibition, and some paintings may require traveling frames and/or climatized cases specially designed for the object.

5. The Borrower will insure the loan at its expense. When the Borrower insures the loan, the Center will require that a certificate of insurance be received, naming the Center as an additional insured, covering the loan from the time it leaves the Center until its return. The certificate must be provided to the Center before the loan is released to the Borrower.

6. When the loan involves high value or fragile objects, the Center will require that a courier accompany the objects, and/or oversee the unpacking, installation/de-installation, or repackaging of the objects. The Borrower will assume the transportation costs of the courier and provide a per diem for the number of days required to do the work. A minimum of two days is required for domestic travel and three to five days for international travel, depending upon the destination and installation schedule.

7. If an itinerary of several venues is involved, the Center requires that the complete itinerary be provided at the time of the initial loan request. The Center requires that the facilities report from each borrowing institution be sent for review as a stipulation for final approval.

8. The borrowing institution must agree to credit the loans in the manner detailed by the Center in exhibition labels, publicity, and accompanying publications.

9. If the outgoing loan is for a promised gift or an extended loan for which the Wexner Center does not hold absolute title, it must have written approval from the owner.

10. In processing all approved loans, the Registrar will administer all loan contracts and transit needs; supervise all logistics; prepare a condition report; and monitor the ongoing maintenance of the loan.

Extended Loans to the Collection

1. The Wexner Center may accept extended loans of objects from institutions and individuals for special exhibition and research purposes.

2. Extended loans must be accompanied by a signed loan agreement form from the object's owner. These loan agreements should be updated on an annual basis, with insurance values adjusted accordingly.

3. Written permission for repair work, conservation, or photography must be secured from the object's owner, except in the case of an emergency that grossly endangers the object.

4. No loan will be accepted strictly for storage purposes without the Director's written permission.

E. Collection Storage Guidelines

1. Access to permanent art storage will be limited to the Director, Registrars, Curators, Preparators, and Conservators. Card-key access will be determined by the Registrar; all others will be allowed entry on a case-by-case basis, through prior arrangement with the Registrar. A written register of all visitors (other than those named above) entering and leaving art storage will be maintained by the Registrar.

2. Staff and authorized visitors to the storage area are expected to comply with all collection guidelines. These rules include such common-sense observances as no eating or drinking, no gum chewing, no smoking, no pens around artworks, use of gloves when handling artworks, and other cautionary measures.

3. All authorized visitors must be accompanied by an appropriate Wexner Center staff member as designated by the Registrar's office.

4. Storage room doors must be kept closed at all times for security reasons and to prevent dust. The last person out of the store room is responsible for ensuring that lights are turned off.

**SALE OF THE OHIO STATE UNIVERSITY HOSPITALS EAST HOME CARE PROGRAM TO
THE UNIVERSITY HOME CARE SERVICES, INC.**

Background

As part of the acquisition of Park Medical Center, the University acquired all of the services offered at that facility, including its home care program. Since April 1999, the administration for University Hospitals East has been reviewing whether or not this program ought to be continued from that site, modified, or transferred to another organization.

The University Home Care Services, Inc., (TUHCS) a sister organization to MedOhio Health Inc., has expressed interest in acquiring the home care program from University Hospitals East. TUHCS believes that the consolidation of the programs will lead to greater cost efficiencies as a whole while broadening the access to necessary services to individuals served previously both programs.

To that end, TUHCS obtained an appraisal of the fair market value of the home health activities conducted by University Hospitals East. Based on that valuation and other considerations related to strategic plans for University Hospitals East, it was decided to sell the assets of the University Hospitals East home care program to TUHCS. The purchase price has been agreed upon at \$50,000. No real property will be included in the assets sold to The University Home Care Services, Inc.